

Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora

(Prime Minister's Office Order No. 9 of March 29, 1993)

Pursuant to the provisions of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992) and the Order for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Cabinet Order No. 17 of 1993), the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora is established as follows.

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Chapter I Regulations on the Handling of an Individual, etc.

(Definitions)

Article 1 Terms used in this Office Order have the same meanings as those used in the Act on Conservation of Endangered Species of Wild Fauna and Flora (hereinafter referred to as the "Act").

(Processed Products of Rare Species of Wild Fauna and Flora)

Article 1-2 The processed products specified by the Ministry of the Environment Order referred to in the "Processed product" column of Appended Table 5 of the Order for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (hereinafter referred to as the "Order") are the processed products specified in the "Processed products" column of the following table for the respective families set forth in the "Family" column of the same table.

Family	Processed products
Macropodidae	, bags, pouches
Potoroidae	Footwear, bags, pouches

Felidae	Footwear, bags, pouches, musical instruments
Elephantidae	Footwear, bags, pouches, musical instruments, indoor entertainment equipment, table equipment, smoking articles, stationery, miscellaneous daily goods, Buddhist altar articles, teaware
Equidae	Footwear, bags, pouches
Tayassuidae	Footwear, bags, pouches
Cheloniidae	Footwear, bags, pouches, miscellaneous daily goods, musical instruments
Alligatoridae	Footwear, bags, pouches, musical instruments
Crocodylidae	Footwear, bags, pouches, musical instruments
Varanidae	Footwear, bags, pouches, musical instruments
Pythonidae	Footwear, bags, pouches, musical instruments
Boidae	Footwear, bags, pouches, musical instruments
Bolyeriidae	Footwear, bags, pouches, musical instruments

(Facilities Specified by Ministry of the Environment Order Referred to in Article 2, Paragraph (3) of the Act)

Article 1-3 The facilities specified by the Ministry of the Environment Order referred to in Article 2, paragraph (3) of the Act are insectariums or facilities similar to zoos, botanical gardens, aquariums, or insectariums, excluding those whose principal purpose is to sell or lease live individuals of wild fauna or flora or to provide food and drink.

(Solicitation of Proposals)

Article 1-4 (1) The solicitation of proposals under Article 6, paragraph (5) of the Act is to be made at least once a year by setting a reasonable notice period for the solicitation of proposals.

(2) The Minister of the Environment is to announce the period referred to in the preceding paragraph by using the internet or by other appropriate means.

(Exemption from Prohibition of Capture or Other Actions)

Article 1-5 The unavoidable grounds specified by the Ministry of the Environment Order referred to in Article 9, item (iv) of the Act are to be those set forth in the following items:

(i) the capture or other actions are necessary for the protection of the life or body of a person;

- (ii) the capture or other actions (limited to that for which notification is made to the Minister of the Environment (or, in the case of a public university (excluding a university established by a public university corporation as defined in Article 68, paragraph (1) of the Local Independent Administrative Agency Act (Act No. 118 of 2003); the same applies hereinafter), limited to that for which notice is given to the Minister of the Environment) in advance) are intended for education or academic research at a university (meaning the university referred to in Article 1 of the School Education Act (Act No. 26 of 1947) or the inter-university research institute referred to in Article 2, paragraph (4) of the National University Corporation Act (Act No. 112 of 2003); the same applies hereinafter);
- (iii) the capture or other actions are associated with any of the following acts:
 - (a) an act which is performed to fulfill the obligation imposed by a disposition rendered under the provisions of Article 10-3 or 38 of the Forest Act (Act No. 249 of 1951) or Article 21, paragraph (1) or (2) of the Landslide Prevention Act (Act No. 30 of 1958) and which must be performed urgently;
 - (b) an act which constitutes an emergency measure necessary to deal with an emergency disaster;
- (iv) the capture or other actions of the individuals are intended for relocation or transplantation of the individuals for their protection and is associated with any of the following acts (limited to those notified to the Minister of the Environment in advance):
 - (a) installing or managing signages for the protection and management of forests or signages, nest boxes, feeders or water feeders for the protection and reproduction of wild birds and mammals;
 - (b) installing or managing survey markers as defined in Article 10, paragraph (1) of the Survey Act (Act No. 188 of 1949) or waterway survey markers as defined in Article 5, paragraph (1) of the Act on Services Related to Waterways (Act No. 102 of 1950)
 - (c) constructing or managing a facility set forth in item (i) or item (ii), (a), (b), (c), (k), or (l) of Article 3 of the Act on Development of Fishing Ports and Grounds (Act No. 137 of 1950) (in the case of the facility set forth in (a) of the same item, excluding a parking facility or heliport and, in the case of the facility set forth in (c) of the same item, limited to a site for public facilities) or a facility which is deemed to be a fishing port facility pursuant to the provisions of Article 40 of the same Act;
 - (d) installing or managing signages pursuant to the fishing port management rules prescribed in Article 34 of the Act on Development of Fishing Ports and Grounds;
 - (e) constructing or managing a facility related to a project for improvement of the structure of coastal fisheries necessary to improve and develop the

- production infrastructure for coastal fisheries (meaning the coastal fisheries as defined in Article 2, paragraph (1) of the Act on Subsidies for Improvement of Coastal Fishery (Act No. 25 of 1979), excluding those engaged in by using power fishing vessels whose gross tonnage is ten tons or more and less than twenty tons (excluding on-board fishing boats); the same applies hereinafter);
- (f) constructing or managing a facility for reproduction or cultivation related to a project under a coastal fishery resources development plan prescribed in Article 7 of the Marine Resources Development Promotion Act (Act No. 60 of 1971);
 - (g) constructing or managing a road;
 - (h) installing or managing traffic signals, safety barriers, earth retaining walls, or any other facility for securing the safety of a road, railway, track or cableway;
 - (i) installing or managing facilities which display station name plates, station signages, fare tables, conditions of carriage, or other things similar to these at a station building of a railway, track, or cableway or at a business office or waiting area of a passenger transport business using automobiles or vessels;
 - (j) constructing or managing a platform (including any building above it) of a railway, track or cableway;
 - (k) constructing or managing a waste oil disposal facility as defined in Article 3, item (xiv) of the Act on Prevention of Marine Pollution and Maritime Disaster (Act No. 136 of 1970);
 - (l) installing or managing navigation aids as defined in Article 1, paragraph (2) of the Navigation Aids Act (Act No. 99 of 1949) (hereinafter simply referred to as "navigation aids") or any other facility for securing the safety of traffic of vessels;
 - (m) newly constructing a temporary building or other structure (hereinafter simply referred to as a "structure") as an emergency measure for avoiding impending danger to a vessel or cargo;
 - (n) installing or managing an air navigation facility as defined in Article 2, paragraph (5) of the Civil Aeronautics Act (Act No. 231 of 1952);
 - (o) installing or managing a post box, collective mailbox, letter post box, or public phone facility, or landmarks referred to in Article 141, paragraph (3) of the Telecommunications Business Act (Act No. 86 of 1984);
 - (p) installing or managing electric lines for electric supply, wireways for wire telecommunication or an antenna system (including supports thereof);
 - (q) installing or managing a facility for observation of meteorological or terrestrial phenomena, ground motion, terrestrial magnetism or electricity, or hydrological phenomena;

- (r) burying structures under a road that include water or gas pipes, electrical lines for electric supply, wireways for wire telecommunication, or other structures similar to these, and managing the structures;
- (s) installing a watchtower or an alarm bell tower to be made available for fire prevention or flood prevention purposes;
- (t) installing or managing signages pursuant to the provisions of the relevant laws and provisions or for security purposes;
- (u) installing a temporary structure (excluding a lodgment) for the purpose of performing any of the acts set forth in this item, within the construction site at which the relevant act takes place;
- (v) an act necessary to manage a facility to be made available for services of broadcasting as defined in Article 2, item (i) of the Broadcasting Act (Act No. 132 of 1950) or for a telecommunications business as defined in Article 2, item (iv) of the Telecommunications Business Act;
- (w) an act necessary to ensure security performed by a person which constructs, installs, or improves dams, waterways, reservoirs, buildings, machinery, apparatus, or other structures necessary for hydro, thermal, or nuclear power generation or constructs, installs, or improves structures necessary for any of these activities, or engages in a gas business as defined in Article 2, paragraph (11) of the Gas Business Act (Act No. 51 of 1954) or an industrial water supply business as defined in Article 2, paragraph (4) of the Industrial Water Supply Business Act (Act No. 84 of 1958);
- (x) an act for conservation of an important cultural property designated under the provisions of Article 27, paragraph (1) of the Act on Protection of Cultural Properties (Act No. 214 of 1950), an important tangible folk cultural property designated under the provisions of Article 78, paragraph (1) of the same Act, a buried cultural property as defined in Article 92, paragraph (1) of the same Act, a historic site, place of scenic beauty, or natural monument designated under the provisions of Article 109, paragraph (1) of the same Act or provisionally designated under the provisions of Article 110, paragraph (1) of the same Act, an important cultural landscape selected under the provisions of Article 134, paragraph (1) of the same Act, or an article certified under the provisions of Article 2, paragraph (1) of the former Act for the Preservation of Important Works of Art (Act No. 43 of 1933);
- (y) engaging in mining as defined in Article 4 of the Mining Act (Act No. 289 of 1950), a stone quarrying business as defined in Article 10, paragraph (1), item (iii) of the Quarrying Act (Act No. 291 of 1950), or a gravel quarrying business as defined in Article 2 of the Gravel Gathering Act (Act No. 74 of 1968);

- (z) an act performed to engage in agriculture, forestry or fishery;
- (aa) an act which is permitted under Article 34, paragraph (2) of the Forest Act and is performed by a person who received the permission regarding areas of a protected forest designated pursuant to the provisions of Article 25, paragraph (1) or (2) or Article 25-2, paragraph (1) or (2) of the same Act or regarding a protection facility district designated pursuant to the provisions of Article 41 of the same Act (hereinafter collectively referred to as "protected forest areas, etc."), or any of the acts prescribed in Article 34, paragraph (2) in a case falling under any of the items of the same paragraph (including as applied mutatis mutandis pursuant to Article 44 of the same Act).

(Purpose of Capture or Other Actions)

Article 2 The purposes specified by the Ministry of the Environment Order referred to in Article 10, paragraph (1) of the Act are educational purposes, the purpose of investigating the status of inhabitation or growth of individuals of nationally rare species of wild fauna and flora, etc., and other purposes that are considered to contribute to the conservation of nationally rare species of wild fauna and flora, etc.

(Application for Permission of Capture or Other Actions)

Article 3 (1) An application for permission under the provisions of Article 10, paragraph (2) of the Act (excluding an application for permission prescribed in paragraph (3)) is to be filed by submitting a written application giving the information set forth in the following items:

- (i) address, name, and occupation of the applicant (or, in the case of a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
- (ii) the following information on the individual for which capture or other actions are intended:
 - (a) species;
 - (b) if it is an egg, to that effect;
 - (c) quantity;
- (iii) purpose of the capture or other actions;
- (iv) area in which the capture or other action will take place and the conditions of the area;
- (v) method of capture or other actions;
- (vi) method of transport of the individual after its capture or other actions (limited to the case of a live individual);
- (vii) intended period of capture or other actions;
- (viii) if the applicant intends to rear or cultivate the individual after its

- capture or other actions, the location of rearing or cultivation, the size and structure of the rearing or cultivation facility, and the address, name, occupation, and information regarding the rearing background or cultivation background of the person who will handle the rearing or cultivation.
- (2) The written application prescribed in the preceding paragraph must be accompanied by the documents set forth in the following items:
- (i) a drawing which indicates the conditions of the area in which the capture or other actions will take place;
 - (ii) if the applicant intends to rear or cultivate the individual after its capture or other actions, drawings and photographs which indicate the size and structure of the rearing or cultivation facility;
 - (iii) if the individual for which capture or other actions are intended is an animal, a drawing which indicates the method of capture or other actions.
- (3) An application for permission under the provisions of Article 10, paragraph (2) of the Act to capture or subject to other actions taken regarding a live individual of a specified class I nationally rare species of wild fauna and flora for the purpose of reproducing individuals for transfer or delivery of individual, etc. in a business conducted under Article 30, paragraph (1) is to be filed by submitting a written application giving the information set forth in the following items:
- (i) address and name of the applicant (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative);
 - (ii) date of notification of the specified national species business and the entity which received the notification;
 - (iii) the following information on the individual for which capture or other actions are intended :
 - (a) species;
 - (b) if it is an egg, to that effect;
 - (c) quantity;
 - (iv) area in which the capture or other actions will take place and the conditions of the area;
 - (v) method of capture or other actions;
 - (vi) method of transport of the individual after its capture or other actions;
 - (vii) intended period of capture or other actions;
 - (viii) location of the place where the individual captured or subjected to other actions will be reproduced, an outline of the reproduction facility, and the name and background related to reproduction of the person who will engage in the reproduction;
 - (ix) method of reproduction and a reproduction plan.
- (4) The written application prescribed in the preceding paragraph must be accompanied by the documents set forth in the following items:

- (i) a drawing which indicates the conditions of the area in which the capture or other actions will take place;
 - (ii) drawings and photographs which indicate the size and structure of the reproduction facility;
 - (iii) if the individual for which capture or other actions are intended is an animal, a drawing which indicates the method of capture or other actions.
- (5) The form of the permit referred to in Article 10, paragraph (5) of the Act (hereinafter simply referred to as a "permit" in this Article) is as shown in Form 1.
- (6) An application for issuance of worker certificates under the provisions of Article 10, paragraph (6) of the Act is to be filed by submitting a written application giving the information set forth in the following items:
- (i) location of the applicant's principal office, the applicant's name, the name of the applicant's representative, and the principal business of the applicant;
 - (ii) date of issuance of, and the number assigned to, the permit for the capture or other actions;
 - (iii) addresses, names, and occupations of the persons who engage in the capture or other actions.
- (7) The form of worker certificates referred to in Article 10, paragraph (6) of the Act (hereinafter simply referred to as a "worker certificates" in this Article) is as shown in Form 2.
- (8) An application for reissuance of a permit or a worker certificate under the provisions of Article 10, paragraph (7) of the Act is to be filed by submitting a written application giving the information set forth in the following items:
- (i) address, name, and occupation of the applicant (or, in the case of a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
 - (ii) number assigned to, and the date of issuance of, the permit or the worker certificate;
 - (iii) circumstances under which the permit or the worker certificate was lost or destroyed.
- (9) A permit or a worker certificate must be returned to the Minister of the Environment within thirty days of the date of expiry.
- (10) If a person that has received issuance of a permit returns the permit pursuant to the provisions of the preceding paragraph, the person must report to the Minister of the Environment an outline of the quantity and treatment (or, in the case of the permission provided in paragraph (3), usage) regarding individuals captured or subjected to other actions by prefecture.
- (11) If a person that has received reissuance of a permit or a worker certificate pursuant to the provisions of Article 10, paragraph (7) of the Act recovers the lost permit or worker certificate after receiving its reissuance, the person must

promptly return the recovered permit or worker certificate to the Minister of the Environment.

(Methods of Handling Individuals)

Article 4 The methods specified by Ministry of the Environment Order referred to in Article 10, paragraph (9) of the Act (including as applied mutatis mutandis pursuant to Article 13, paragraph (4) of the Act) are those set forth in the following items:

- (i) if the individual is reared or cultivated, housing it in an appropriate rearing or cultivation facility;
- (ii) maintaining conditions appropriate for the inhabitation or growth of the individual or appropriately managing the individual to prevent it from being killed or damaged;
- (iii) if the individual is covered by the permission provided in paragraph (3) of the preceding Article, managing an individual captured or subjected to other actions by separating it clearly from reproduced individuals.

(Exemption from Prohibition of Transfer)

Article 5 (1) The cases specified by Ministry of the Environment Order referred to in Article 12, paragraph (1), item (viii) are those set forth in the following items:

- (i) in the case of a transfer, etc. by an experimental research institution of the national government or of a local government for experimental research purposes;
- (ii) in the case of a transfer, etc. conducted as the responsibility of the police prescribed in Article 2, paragraph (1) of the Police Act (Act No. 162 of 1954);
- (iii) in the case of a transfer, etc. conducted as the duties of a public prosecutor prescribed in Article 4 of the Public Prosecutor's Act (Act No. 61 of 1947);
- (iv) in the case of a transfer, etc. of live individuals captured or subjected to other actions under the provisions of Article 50, paragraph (1), item (i), (b);
- (v) in the case of a transfer, etc. of a live individual taken away under the provisions of Article 36 of the Act on Welfare and Management of Animals (Act No. 105 of 1973);
- (vi) in the case of a transfer, etc. involved in any of the following acts:
 - (a) managing land designated pursuant to the provisions of Article 2 of the Erosion Control Act (Act No. 29 of 1897) or doing erosion control works as defined in Article 1 of the same Act on that land;
 - (b) managing a coastal preservation zone prescribed in Article 3, paragraph (1) of the Coast Act (Act No. 101 of 1956) or doing construction works related to a coastal preservation facility as defined in Article 2, paragraph (1) of the same Act;

- (c) managing a landslide prevention zone prescribed in Article 3, paragraph (1) of the Landslide Prevention Act or doing landslide prevention works as defined in Article 2, paragraph (4) of the same Act;
 - (d) managing a river zone as defined in Article 6, paragraph (1) of the River Act (Act No. 167 of 1964) or doing river works as defined in Article 8 of the same Act in that zone;
 - (e) managing a steep slope failure hazard area prescribed in Article 3, paragraph (1) of the Act on Prevention of Disasters Caused by Steep Slope Failure (Act No. 57 of 1969) or doing steep slope failure prevention works as defined in Article 2, paragraph (3) of the same Act;
 - (f) engaging in a protection facility project as defined in Article 41, paragraph (3) of the Forest Act or doing spoil bank failure prevention works under the Landslide Prevention Act;
 - (g) an act for designation of an important cultural property under the provisions of Article 27, paragraph (1) of the Act on Protection of Cultural Properties, designation of an important tangible folk cultural property under the provisions of Article 78, paragraph (1) of the same Act, or designation or provisional designation of a historic site, place of scenic beauty, or natural monument under the provisions of Article 109, paragraph (1) or Article 110, paragraph (1), of the same Act, or investigating a buried cultural property as defined in Article 92, paragraph (1) of the same Act;
 - (h) the act set forth in Article 1-5, item (iv), (x);
- (vii) in the case of a transfer, etc. of an individual which is intended for relocation or transplantation for the purpose of its protection and which accompanies any of the following acts:
- (a) doing construction works related to an erosion control facility as defined in Article 1 of the Erosion Control Act on land other than land designated pursuant to the provisions of Article 2 of the same Act;
 - (b) doing construction works related to a river management facility as defined in Article 3, paragraph (2) of the River Act in any area other than a river area as defined in Article 6, paragraph (1) of the same Act;
 - (c) doing construction works to prevent avalanches or installing debris flow monitoring equipment, measuring instruments, or other structures incidental to any of the above to prevent disasters caused by landslides in a volcano area, at the base of a volcano, or an area which is likely to be seriously affected by volcanic phenomena;
 - (d) constructing or managing an urban park as defined in Article 2, paragraph (1) of the Urban Park Act (Act No. 79 of 1956) or a park, green area, or cemetery which is a city planning facility as defined in Article 4, paragraph (6) of the City Planning Act (Act No. 100 of 1968) (hereinafter

- collectively referred to as an "urban park, etc.");
- (e) constructing or managing a public sewerage system as defined in Article 2, item (iii) of the Sewerage Act (Act No. 79 of 1958), a regional sewerage system as defined in item (iv) of the same Article, or an urban storm drainage system as defined in item (v) of the same Article (hereinafter collectively referred to as "sewerage");
 - (f) constructing or managing a road.
- (2) The cases specified by Ministry of the Environment Order referred to in Article 12, paragraph (1), item (ix) are those set forth in the following items:
- (i) in the case of a transfer, etc. for education or academic research at a university;
 - (ii) in the case of a transfer, etc. involved in any of the services performed under the provisions of Chapter 4 of the Veterinarians Act (Act No. 186 of 1949);
 - (iii) in the case of a transfer, etc. involved in an act for conservation of an important cultural property designated under the provisions of Article 27, paragraph (1) of the Act on Protection of Cultural Properties, an important tangible folk cultural property designated under the provisions of Article 78, paragraph (1) of the same Act, a buried cultural property as defined in Article 92, paragraph (1) of the same Act, a historic site, place of scenic beauty, or natural monument designated under the provisions of Article 109, paragraph (1) of the same Act or provisionally designated under the provisions of Article 110, paragraph (1) of the same Act, or an article certified under the provisions of Article 2, paragraph (1) of the former Act for the Preservation of Important Works of Art;
 - (iv) in the case of a transfer, etc. (excluding that of a live individual) by a museum as defined in Article 2, paragraph (1) of the Museum Act (Act No. 285 of 1951) or by a facility designated as equivalent to a museum pursuant to the provisions of Article 29 of the same Act (referred to as a "museum-like facility" in paragraph (3)) for exhibition at the facility;
 - (v) in the case of a transfer, etc. of individuals growing on land which is transferred or handed over or whose transfer or handover is received;
 - (vi) in the case of a transfer, etc. which constitutes an emergency measure necessary to deal with an emergency disaster;
 - (vii) in the case of a transfer, etc. of an individual of any of the following internationally rare species of wild fauna and flora which has been captured (including having been killed) legally under the Protection and Control of Wild Birds and Mammals and Hunting Management Law (Act No. 88 of 2002) or which has been reproduced from that individual:
 - (a) *Ursus arctos* (brown bear)
 - (b) *Ursus thibetanus* (Asian black bear)

- (viii) in the case of a transfer, etc. of an individual of any of the following internationally rare species of wild fauna and flora which has been caught or collected legally under Ministry Order or Regulation established pursuant to the provisions of Article 65, paragraph (1) or (2) of the Fishery Act (Act No. 267 of 1949) or Article 4, paragraph (1) or (2) of the Act on the Protection of Fishery Resources (Act No. 313 of 1951) or which has been caught or collected pursuant to instructions given under the provisions of Article 67, paragraph (1) of the Fishery Act or which has been reproduced from any of these individuals:
- (a) *Balaena mysticetus* (bowhead whale)
 - (b) *Eubalaena* spp. (all species of right whales)
 - (c) *Balaenoptera musculus* (blue whale)
 - (d) *Megaptera novaeangliae* (humpback whale)
 - (e) *Eschrichtius robustus* (grey whale)
 - (f) *Caperea marginata* (pygmy right whale)
 - (g) *Neophocaena asiaeorientalis* (finless porpoise)
 - (h) *Berardius arnuxii* (Arnoux's beaked whale)
 - (i) *Hyperoodon* spp. (all species of bottlenose whales)
 - (j) the species set forth in Appended Table 2, List 2, I, (iii) (e) (2) or (3) of the Order;
- (ix) in the case of a transfer, etc. of an individual of any of the following internationally rare species of wild fauna and flora which has been reproduced:
- (a) *Erythrura gouldiae* (Gouldian finch)
 - (b) *Neochmia ruficauda ruficauda* (eastern star finch)
 - (c) *Polytelis alexandrae* (princess parrot)
 - (d) *Polytelis anthopeplus monarchoides* (eastern regent parrot)
 - (e) *Polytelis swainsonii* (superb parrot)
 - (f) *Chinchilla* (all species of chinchilla)
 - (g) *Lophophorus impejanus* (Himalayan monal)
 - (h) *Lophura swinhoii* (Swinhoe's pheasant)
 - (i) *Syrmaticus ellioti* (Elliot's pheasant)
 - (j) *Syrmaticus mikado* (Mikado pheasant)
 - (k) *Struthio camelus* (common ostrich)
 - (l) any of the species set forth in Appended Table 2, List 2, II (1), (2), (4), (7) through (9), (11) through (13), and (18) of the Order;
- (x) in the case of a transfer, etc. of a body part of any of the individuals set forth in items (vii) through (ix) (hereinafter referred to as a "individual legally captured or subjected to other actions " in this item and Article 9) or a processed product of an individual legally captured or subjected to other actions or a body part thereof.

(3) A person that has received a transfer or delivery prescribed in item (iv) of paragraph (1) or item (i), (iii), (iv) or (vi) of the preceding paragraph is to make a notification (or give notice if the transfer or delivery is received by a national government organ, a local government, a public university, a public museum or a public museum-like facility) to the Minister of the Environment within thirty days of the receipt of the transfer or delivery.

(Purpose of Transfer)

Article 6 The purposes specified by the Ministry of the Environment Order referred to in Article 13, paragraph (1) of the Act are educational purposes, the purpose of investigating the status of inhabitation or growth of individuals of rare species of wild fauna and flora, and other purposes that are considered to contribute to the conservation of rare species of wild fauna and flora.

(Application for Permission of Transfer)

Article 7 (1) An application for permission under the provisions of Article 13, paragraph (2) of the Act is to be filed by submitting a written application giving the information set forth in the following items:

- (i) address, name, and occupation of the applicant (or, in the case of a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
- (ii) the following information on the individual, etc. intended for transfer, etc.:
 - (a) species;
 - (b) live individual, egg, stuffed or other specimen, body part of an individual, processed product of a body part of an individual, or other category of the individual, etc. (or, in the case of a body part of an individual or a processed product thereof, its category and name);
 - (c) quantity;
 - (d) location;
- (iii) purpose of transfer, etc.;
- (iv) address, name, and occupation of the person which will receive the transfer, etc. (or, if the person is a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
- (v) method of transport by which the transfer, etc. will be made (limited to the case of a live individual);
- (vi) intended time of transfer, etc.;
- (vii) in the case of a person that intends to transfer or deliver the individual, etc., how the individual, etc. to be so transferred or delivered was acquired;
- (viii) in the case of a person that intends to receive a transfer or delivery and to rear or cultivate the individual so transferred or delivered, the location of the place where the individual will be reared or cultivated, the size and structure

of the rearing or cultivation facility, and the address, name, occupation, and information regarding the rearing background or cultivation background of the person who will handle the rearing or cultivation.

- (2) A person which intends to make a transfer, etc. of an individual, etc. of a rare species of wild fauna and flora and which is set forth in the following items must attach the documents specified in the respective items to the written application prescribed in the preceding paragraph:
- (i) a person which intends to transfer or deliver an individual, etc. of a rare species of wild fauna and flora: photographs of the individual, etc.;
 - (ii) a person which intends to receive a transfer or delivery of an individual of a rare species of wild fauna and flora and to rear or cultivate the individual: drawings and photographs which indicate the size and structure of the rearing or cultivation facility.

(Application for Issuance of a Written Certification)

Article 8 (1) A person wishing to have a written certification issued under Article 7, paragraph (1), item (ii) of the Order must file a written application giving the following information with the Minister of the Environment:

- (i) address, name, and occupation of the applicant (or, in the case of a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
- (ii) the following information on the individual, etc. for which export is intended:
 - (a) species;
 - (b) live individual, egg, stuffed or other specimen, body part of an individual, processed product of a body part of an individual, or other category of the individual, etc. (or, in the case of a body part of an individual or a processed product thereof, its category and name);
 - (c) quantity;
 - (d) location;
- (iii) purpose of export;
- (iv) destination;
- (v) address, name, and occupation of the person which will receive the export (or, if the person is a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
- (vi) method of transport (limited to the case of a live individual);
- (vii) intended time of export;
- (viii) how the individual, etc. for which export is intended was acquired;
- (ix) if the intention is that the individual will be reared or cultivated after export, the location of the place where the individual will be reared or cultivated and the size and structure of the rearing or cultivation facility;

- (x) the handling of the individual, etc. after the purpose of export has been achieved.
- (2) The written application prescribed in the preceding paragraph must be accompanied by a document falling under any of the following items:
 - (i) a copy of a permit issued under the provisions of Article 10, paragraph (5) or (7) of the Act or a document certifying the permission under Article 13, paragraph (1) of the Act has been obtained;
 - (ii) if it is difficult to attach a document set forth in the preceding item, a document certifying that the individual, etc. has been legally acquired.

(Exemption from Prohibition of Display and Advertising)

Article 9 The cases specified by Ministry of the Environment Order referred to in Article 17, item (i) of the Act are cases where individuals legally captured or subjected to other actions or body parts thereof or processed products of these individuals or body parts are displayed or advertised.

(Form of the Identification Referred to in Article 19, Paragraph (2) of the Act)

Article 10 The form of the identification referred to in Article 19, paragraph (2) of the Act is as shown in Form 3.

(Tusks Eligible for Registration)

Article 10-2 The tusks specified by Ministry of the Environment Order referred to in the "Individual, etc." column of Appended Table 7 of the Order are to be deemed to have been imported to Japan in accordance with the note for *Loxodonta africana* (African elephant) listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (referred to as the "Convention" in paragraph (1), item (iv) of the following Article).

(Application for Registration of an Individual, etc.)

Article 11 (1) The written application prescribed in Article 20, paragraph (2) of the Act must be accompanied by photographs of the individual, etc. intended for registration (in the case of a live individual of any of the species set forth in the items of paragraph (3), photographs of the individual and photographs which allow the identification of the number relevant to the measure for identifying the individual (limited to photographs which allow confirmation that the measure for identifying individuals is taken with respect to the individual)) and a certificate for that individual (in the case only of a live individual of any of the species set forth in the items of paragraph (3), if the measure for identifying the individual is microchipping (limited to microchips that conform to ISO 11784 and ISO 11785 set by the International

Organization for Standardization; the same applies hereinafter), a certificate issued by a veterinarian that certifies the identification number assigned to the microchip, or if the measure for identifying the individual is leg banding, a certificate certifying the identification number assigned to the leg band), and, depending on which category of individual, etc. set forth in the following items the individual, etc. belongs to, the documents which are specified in the applicable item; provided, however, that if it is difficult to attach these documents, the applicant may attach a document certifying that the individual, etc. falls under the relevant category:

- (i) an individual which satisfies the requirement prescribed in Article 8, item (i) of the Order or a body part, etc. produced from the individual: a document describing the place where and the method by which the individual was reproduced and, depending on which of the categories of individuals set forth in the following (a) through (c) the individual belongs to, the documents set forth in (a), (b) or (c) below:
 - (a) an individual whose parent has been registered under the provisions of Article 20, paragraph (1) of the Act or a body part, etc. produced from that individual: a copy of the registration card for the parent issued pursuant to the provisions of Article 20, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 20-2, paragraph (2) of the Act; the same applies in item (v)) or issued, rewritten and reissued, or reissued pursuant to the provisions of Article 20, paragraph (8), (9), or (10), as the case may be, of the Act;
 - (b) an individual whose parent satisfies the requirements prescribed in Article 8, item (iii) of the Order or a body part, etc. produced from that individual: the document specified in item (iii) or (iv) for the parent;
 - (c) an individual other than that set forth in (a) or (b) or a body part, etc. produced from that individual: a document describing how its parent was acquired;
- (ii) an individual, body part, or processed product which satisfies the requirements prescribed in Article 8, item (ii) of the Order: a document which is written by the person that acquired the individual, body part, or processed product in Japan or imported the same to Japan prior to the date specified in the "Date of application" column of Appended Table 2, List 2 of the Order for the relevant species of those set forth in the "Species" column of the same Table and which clarifies how the individual, body part, or processed product was so acquired or imported;
- (iii) an individual, body part, or processed product which satisfies the requirements listed in Article 8, item (iii), (a) or (b) of the Order: a copy of the document which certifies that the individual, body part, or processed product has been approved for import under the provisions of Article 4,

- paragraph (1) of the Import Trade Control Order (Cabinet Order No. 414 of 1949) and which certifies customs clearance of the individual, body part, or processed product;
- (iv) an individual, body part, or processed product which satisfies the requirements listed in Article 8, item (iii), (c) of the Order: a copy of the import permit issued pursuant to the provisions of Article 67 of the Customs Act (Act No. 61 of 1954), a copy of the certificate of customs clearance for import issued pursuant to the provisions of Article 102, paragraph (1) of the same Act, or a copy of the export permit or a re-export certificate issued by a governmental organization of the exporting country under the Convention;
 - (v) an individual which is set forth in any of items (i) through (iv) and which has already been registered and for which the validity period of the registration has expired (limited to an individual for which all of its transfers or deliveries made during the period from the time of receipt of its registration until the expiration of the validity period thereof have been notified under the provisions of Article 21, paragraph (5) of the Act): a copy of the registration card for the individual issued pursuant to the provisions of Article 20, paragraph (3) of the Act or issued, rewritten and reissued, or reissued pursuant to the provisions of Article 20, paragraph (8), (9), or (10).
- (2) The Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, the individual, etc. registration organization) may request a person which has filed an application for registration pursuant to the provisions of Article 20, paragraph (2) of the Act to submit documents found to be necessary to confirm that the registration requirements as defined in Article 20, paragraph (1) of the Act are satisfied, in addition to the written application prescribed in Article 20, paragraph (2) of the Act and the applicable documents prescribed in the preceding paragraph.
- (3) The internationally rare species of wild fauna and flora specified by Ministry of the Environment Order referred to in Article 20, paragraph (2), item (iv) of the Act are the species set forth in the following items, and for each live individual of the relevant species set forth in the items that apply among the following items, the measures specified by Ministry of the Environment Order referred to in item (iv) of the same paragraph are microchipping, application of a leg ring, or any other measure specified by the Minister of the Environment:
- (i) the species set forth in the "Species" column of Appended Table 2, List 2, I
 - (i) of the Order (excluding the following):
 - (a) *Balaena mysticetus* (bowhead whale)
 - (b) *Eubalaena* spp. (all species of right whales)
 - (c) *Balaenoptera musculus* (blue whale)
 - (d) *Megaptera novaeangliae* (humpback whale)

- (e) *Sotalia* spp. (all species of Guiana)
 - (f) *Sousa* spp. (all species of humpback dolphins)
 - (g) *Eschrichtius robustus* (grey whale)
 - (h) *Lipotes vexillifer* (Yangtze River dolphin)
 - (i) *Caperea marginate* (pygmy right whale)
 - (j) *Neophocaena asiaeorientalis* (finless porpoise)
 - (k) *Neophocaena phocaenoides* (Indo-Pacific finless porpoise)
 - (l) *Phocoena sinus* (vaquita)
 - (m) *Platanista* spp. (all species of river dolphins)
 - (n) *Berardius arnuxii* (Arnoux's beaked whale)
 - (o) *Hyperoodon* spp. (all species of bottlenose whales)
 - (p) *Dugong dugon* (dugong)
 - (q) *Trichechus inunguis* (Amazonian manatee)
 - (r) *Trichechus manatus* (West Indian manatee)
 - (s) *Trichechus senegalensis* (African manatee)
- (ii) the species set forth in the "Species" column of Appended Table 2, List 2, I (ii) of the Order;
- (iii) the species set forth in the "Species" column of Appended Table 2, List 2, I (iii) of the Order, excluding the following:
- (a) *Ceratophora erdeleni* (Erdelen's horned lizard)
 - (b) *Ceratophora karu* (Karu's horned lizard)
 - (c) *Ceratophora tennentii* (leaf-nosed lizard)
 - (d) *Cophotis ceylanica* (pygmy lizard)
 - (e) *Cophotis dumbara* (Knuckles pygmy lizard)
 - (f) *Abronia anzueto* (anzueto arboreal alligator lizard)
 - (g) *Abronia campbelli* (Campbell's alligator lizard)
 - (h) *Abronia fimbriata* (brilliant alligator lizard)
 - (i) *Abronia frosti* (Frost's arboreal alligator lizard)
 - (j) *Abronia meledona* (Meledona arboreal alligator lizard)
 - (k) *Brookesia perarmata* (Antsingy leaf chameleon)
 - (l) *Cnemaspis psychedelica* (psychedelic rock gecko)
 - (m) *Gonatodes daudini* (Union Island gecko)
 - (n) *Lygodactylus williamsi* (turquoise dwarf gecko)
 - (o) *Gallotia simonyi* (hierro giant lizard)
- (iv) *Andrias* spp. (all species of giant salamanders)
- (4) The information specified by Ministry of the Environment Order referred to in Article 20, paragraph (2), item (v) is the following:
- (i) the following information on the individual, etc. intended to be registered:
 - (a) in the case of an individual, whether the individual is a live individual, an egg, or any other individual;
 - (b) in the case of a body part of an individual or a processed product of a body

- part of an individual, its name;
 - (c) in the case of a processed product of an individual, whether it is a stuffed specimen or any other processed product of an individual;
 - (d) main characteristics;
 - (e) location;
 - (f) in the case of a live individual of any of the species set forth in the items of the preceding paragraph, the number relevant to the measure for identifying individuals taken with respect to the individual;
 - (ii) eligibility requirements for registration;
 - (iii) if the person managing the individual, etc. is not its owner, the name and address of the person managing the individual, etc.
- (5) The form prescribed by Ministry of the Environment Order referred to in Article 20, paragraph (4) of the Act is as shown in Form 4.
- (6) The information specified by Ministry of the Environment Order referred to in Article 20, paragraph (4), item (vi) is the following:
- (i) registered code number;
 - (ii) in the case of an individual, whether the individual is a live individual, an egg, or any other individual;
 - (iii) in the case of a processed product of an individual, whether it is a stuffed specimen or any other processed product of an individual;
 - (iv) in the case of a body part of an individual or a processed product of a body part of an individual, its name.
- (7) An application for registration of change under the provisions of Article 20, paragraph (6) of the Act is to be filed by submitting a written application giving the following information and accompanied by the registration card for the individual, etc. intended for registration of change and by photographs of the individual, etc., to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, to the individual, etc. registration organization which issued the registration card if it still exists, or to the existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card no longer exists):
- (i) name and address of the applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);
 - (ii) the following information on the registered individual, etc.:
 - (a) registration code number;
 - (b) whether the individual, etc. after the change is a body part of an individual, a processed product of an individual, or a processed product of a body part of an individual;
 - (c) if the individual, etc. after the change is a processed product of an individual, whether it is a stuffed specimen or any other processed product

- of an individual;
 - (d) if the individual, etc. after the change is a body part of an individual or a processed product of a body part of an individual, its name after the change;
 - (e) main characteristics;
 - (f) if the individual, etc. before the change is a live individual of any of the species set forth in the items of paragraph (3), the measure for identifying individuals taken with respect to the individual and the individual identification number.
- (8) An application for registration of change under the provisions of Article 20, paragraph (7) of the Act is to be filed by submitting a written application that gives the following information and is accompanied by the registration card for the individual intended for registration of change and by photographs of the individual and photographs which allow confirmation of the number relevant to the measure for identifying individuals after the change (limited to photographs which allow confirmation that the measure for identifying individuals after the change is taken with respect to the individual) and also by a certificate (if the measure for identifying the individual is microchipping, a certificate issued by a veterinarian and certifying a change in the identification number assigned to the microchip, or if the measure for identifying the individual is leg banding, a certificate certifying a change in the identification number assigned to the leg band) to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, to the individual, etc. registration organization which issued the registration card if it still exists, or to the actually existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card no longer exists), no later than the day on which thirty days have elapsed since the date of change of the measure for identifying individuals taken with respect to the individual.
- (i) name and address of the applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);
 - (ii) the following information on the registered individual:
 - (a) registration code number;
 - (b) measure for identifying individuals after the change and the number relevant to the measure for identifying individuals;
 - (c) reason for the change;
 - (d) main characteristics.
- (9) An application for rewriting and reissuance of a registration card under the provisions of Article 20, paragraph (9) of the Act is to be filed by submitting a written application that gives the following information and is accompanied by

the registration card for the individual, etc. intended for rewriting and reissuance and by photographs of the individual, etc. (in the case of a live individual of any of the species set forth in the items of paragraph (3), photographs of the individual and photographs which allow confirmation of its individual identification number (limited to photographs which allow confirmation that the measure for identifying individuals is taken with respect to the individual)) and also by a certificate (in the case only of a live individual of any of the species set forth in the items of paragraph (3), if the measure for identifying the individual is microchipping, a certificate issued by a veterinarian and certifying the identification number assigned to the microchip, or if the measure for identifying the individual is leg banding, a certificate certifying the identification number assigned to the leg band) to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, to the individual, etc. registration organization which issued the registration card if the organization still exists, or to the existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card no longer exists).

(i) name and address of the applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);

(ii) the following information on the registered individual, etc.:

(a) registration code number;

(b) information contained in the registration card to be rewritten;

(c) the reason necessitating rewriting of the registration card;

(d) in the case of a live individual of any of the species set forth in the items of paragraph (3), the measure for identifying the individual and the individual identification number.

(10) An application for reissuance of a registration card under the provisions of Article 20, paragraph (10) of the Act (including as applied *mutatis mutandis* pursuant to Article 22, paragraph (2) of the Act) is to be filed by submitting a written application that gives the following information and is accompanied by photographs of the individual, etc. for which reissuance of the registration card is being applied for (in the case of a live individual of any of the species set forth in the items of paragraph (3), photographs of the individual and photographs which allow confirmation of its individual identification number (limited to photographs which allow confirmation that the measure for identifying individuals is taken with respect to the individual)) and also by a certificate (in the case only of a live individual of any of the species set forth in the items of paragraph (3), if the measure for identifying the individual is microchipping, a certificate issued by a veterinarian and certifying the identification number assigned to the microchip, or if the measure for

identifying the individual is leg banding, a certificate certifying the identification number assigned to the leg band) to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individuals registration-related affairs, to the individual, etc. registration organization which issued the registration card whose reissuance is being applied for if the organization still exists, or to the actually existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card whose reissuance is being applied for no longer exists).

- (i) name and address of the applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);
 - (ii) the following information on the registered individual, etc.:
 - (a) registration code number;
 - (b) species;
 - (c) in the case of an individual, whether the individual is a live individual, an egg, or any other individual;
 - (d) in the case of a processed product of an individual, whether it is a stuffed specimen or any other processed product of an individual;
 - (e) in the case of a body part of an individual or a processed product of a body part of an individual, its name;
 - (f) in the case of a live individual of any of the species set forth in the items of paragraph (3), the measure for identifying the individual and the individual identification number;
 - (iii) date of issuance of the lost or destroyed registration card;
 - (iv) circumstances under which the registration card was lost or destroyed.
- (11) Submission of a written application under the provisions of Article 20, paragraphs (2) and (4) of the Act may be done by submitting an optical disc (including anything that reliably keeps a record of certain information by means similar to an optical disc) containing information required to be given in the written application, only if this is found by the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, the individual, etc. registration organization) to cause no problems.

(Notification of Change of Name)

Article 11-2 (1) Notification under the provisions of Article 20, paragraph (11) of the Act is to be made by submitting a written notification giving the following information to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, to the individual, etc. registration organization which issued the registration card for the individual, etc. of an internationally rare species of

wild fauna and flora for which the notification is made if the organization still exists, or to the existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card for the individual, etc. of an internationally rare species of wild fauna and flora for which the notification is made no longer exists).

- (i) the following information on the information in which the change occurred:
 - (a) name or address after the change (or, in the case of a corporation, its name, the name of its representative, or the location of its principal office);
 - (b) date on which the change occurred;
 - (ii) the following information on the registered individual, etc.:
 - (a) registration code number;
 - (b) species;
 - (c) in the case of an individual, whether the individual is a live individual, an egg, or any other individual;
 - (d) in the case of a processed product of an individual, whether it is a stuffed specimen or any other processed product of an individual;
 - (e) in the case of a body part of an individual or a processed product of a body part of an individual, its name;
 - (f) in the case of a live individual of any of the species set forth in the items of paragraph (3) of the preceding Article, the measure for identifying the individual and its individual identification number.
- (2) Submission of a written notification under the provisions of the preceding paragraph may be done by using an electronic information processing organization, only, however, if this is found by the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, the individual, etc. registration organization) to cause no problems.

(Individual, etc. Requiring Renewal of Registration)

Article 11-3 The individual, etc. specified by Ministry of the Environment Order referred to in Article 20-2, paragraph (1) of the Act is a live individual.

(Validity Period of Registration of an Individual, etc.)

Article 11-4 The period prescribed by Ministry of the Environment Order referred to in Article 20-2, paragraph (1) is five years.

(Renewal of Registration of an Individual, etc.)

Article 11-5 (1) An application for renewal of registration under the provisions of Article 20-2, paragraph (1) of the Act is to be filed by submitting a written application prescribed in Article 20, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 20-2, paragraph (2) of the Act that is

accompanied by the registration card for the relevant individual and by photographs of the individual (in the case of a live individual of any of the species set forth in the items of paragraph (3) of Article 11, photographs of the individual and photographs which allow confirmation of its individual identification number (limited to photographs which allow confirmation that the measure for identifying individuals is taken with respect to the individual)) and also by a certificate (only in the case of a live individual of any of the species set forth in the items of paragraph (3) of Article 11, if the measure for identifying the individual is microchipping, a certificate issued by a veterinarian and certifying the identification number assigned to the microchip, or if the measure for identifying the individual is leg banding, a certificate certifying the identification number assigned to the leg band) to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, to the individual, etc. registration organization which issued the registration card if the organization still exists, or to the existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card no longer exists), within six months prior to the date of expiration of the validity period of the registration of the individual whose registration renewal is being applied for.

- (2) The provisions of Article 11, paragraphs (2) through (6) are to apply *mutatis mutandis* to a renewal of registration under the preceding paragraph. In this case, the phrase "main characteristics" in (d) of item (i) of paragraph (iv) of the same Article is deemed to be replaced with "main characteristics and registration code number."

(Information to Be Represented in Advertisement)

Article 11-6 The information specified by Ministry of the Environment Order referred to in Article 21, paragraph (2) of the Act is the registration code number, the date of registration, and the date of expiration of the validity period of the registration (limited to cases where the individuals specified in Article 11-3 are advertised).

(Notification of Receipt of Transfer of a Registered Individual, etc.)

Article 12 (1) Notification under the provisions of Article 21, paragraph (5) of the Act is to be made by submitting a written notification giving the following information to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, to the individual, etc. registration organization which issued the registration card for the individual, etc. of an internationally rare species of wild fauna and flora for which the notification is made if the organization still

exists, or to the existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card for the individual, etc. of an internationally rare species of wild fauna and flora for which the notification is made no longer exists).

- (i) address and name of the person making the notification (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative);
 - (ii) the following information on the registered individual, etc.:
 - (a) registration code number;
 - (b) species;
 - (c) in the case of an individual, whether the individual is a live individual, an egg, or any other individual;
 - (d) in the case of a processed product of an individual, whether it is a stuffed specimen or any other processed product of an individual;
 - (e) in the case of a body part of an individual or a processed product of a body part of an individual, its name;
 - (f) in the case of a live individual of any of the species set forth in the items of paragraph (3) of Article 11, the measure for identifying the individual and its individual identification number;
 - (iii) date of receipt of the transfer or delivery;
 - (iv) name of the person that made the transfer or delivery to the person making the notification (or, in the case of a corporation, its name and the name of its representative).
- (2) The provisions of Article 11, paragraph (11) apply mutatis mutandis to submission of a written notification under the provisions of the preceding paragraph.

(Method of Identification of Individual Identification Numbers)

Article 12-2 (1) Pursuant to the provisions of Article 21, paragraph (6) of the Act, a person handling an individual for which a measure for identifying individuals has been taken must handle the individual in the following ways with regard to the identification of the individual identification number of the individual:

- (i) the measure for identifying individuals must not be removed from the individual (except in the cases where the individual has a disease involving the site at which the measure for identifying individuals is taken, or is injured at the site at which the measure for identifying individuals is taken);
- (ii) a measure for identifying individuals must be taken immediately if the existing measure for identifying individual is damaged or comes off or if the circumstances provided in the brackets in the preceding item cease to exist and the individual becomes able to receive a measure for identifying

individuals.

- (2) In any of the circumstances set forth in the following items, notification of the relevant circumstances (in either of the cases set forth in items (ii) and (iii), if the measure for identifying the individual is microchipping, accompanied by, a certificate issued by a veterinarian and certifying the identification number assigned to the microchip, or, if the measure for identifying the individual is leg banding, a certificate certifying the identification number assigned to the leg band) must be made to the Minister of the Environment (or, if an individual, etc. registration organization conducts the individual, etc. registration-related affairs, to the individual, etc. registration organization which issued the registration card if the organization still exists, or to the existing individual, etc. registration organization if the individual, etc. registration organization which issued the registration card no longer exists), no later than the day on which thirty days have elapsed since the date of the circumstance:
- (i) if the measure for identifying individuals taken with respect to the individual is damaged or comes off;
 - (ii) if the measure for identifying individuals is removed from the individual (limited to cases where the circumstances provided in the brackets in item (i) of the preceding paragraph exist);
 - (iii) if a measure for identifying individuals is taken with respect to the individual after either of the circumstances set forth in the preceding two items has occurred (except where registration of change has been made pursuant to the provisions of Article 20, paragraph (7) of the Act).

(Cancellation Marking of Registration Cards)

Article 12-3 If a returned registration card needs to be marked as cancelled pursuant to the provisions of Article 22, paragraph (3) of the Act, holes are to be punched through a conspicuous part of the card.

(Application for Organization Registration)

Article 13 (1) An application for registration under the provisions of Article 23, paragraph (2) of the Act is to be filed by submitting a written application giving the following information:

- (i) name and address of the applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);
 - (ii) name and location of the office at which the applicant intends to conduct the individual, etc. registration-related affairs;
 - (iii) date on which the applicant intends to commence the individual, etc. registration-related affairs.
- (2) The written application prescribed in the preceding paragraph must be accompanied by the following documents:

- (i) the applicant's articles of incorporation or act of endowment and a certificate of its registered information, or documents equivalent to the above;
 - (ii) the applicant's balance sheet and an inventory of the applicant's assets for the business year immediately before the business year to which the date of application belongs, or documents equivalent to the above (or, in the case of a corporation established in the business year to which the date of application belongs, a list of assets at the time of establishment);
 - (iii) a document which explains that the applicant conforms to the provisions of Article 23, paragraph (4), items (i) and (ii);
 - (iv) a document providing an outline of the business actually engaged in by the applicant;
 - (v) beyond what is set forth in the preceding items, other documents containing helpful information.
- (3) The individual, etc. specified by Ministry of the Environment Order referred to in Article 23, paragraph (1) of the Act is an individual of the species set forth in Appended Table 2, List 2 of the Order and processed products thereof and the body parts and processed products set forth in Appended Table 5 of the Order.

(Procedures for Conducting Individual, etc. Registration-related Affairs)

Article 14 (1) The procedures specified by Ministry of the Environment Order referred to in Article 24, paragraph (2) of the Act are the following:

- (i) to check the species of the individual, etc. for which an application has been filed for registration (including renewal; the same applies in the following item and item (iv) and Article 15, items (ii) and (x));
 - (ii) to check that the individual, etc. for which an application for registration has been filed satisfies the requirements prescribed in Article 8 of the Order;
 - (iii) to check that the individual, etc. for which an application for registration has been filed has not already been registered;
 - (iv) if the individual, etc. for which an application for registration has been filed is a live individual of any of the species set forth in the items of paragraph (3) of Article 11, to check that a measure for identifying individuals has been taken appropriately and to check the number assigned to the measure for identifying the individual (or, in the case of renewal of registration, the individual identification number of the individual).
- (2) The changes to minor information specified by Ministry of the Environment Order referred to in Article 24, paragraph (3) of the Act are changes in the address (or, in the case of a corporation, the name of its representative or the location of its principal office) of the person registered under Article 23, paragraph (1) of the Act.

- (3) The rules for conducting the individual, etc. registration-related matters referred to in Article 24, paragraph (5) of the Act are to prescribe the following matters:
- (i) matters regarding the hours during which the individual, etc. registration-related affairs are conducted and regarding holidays;
 - (ii) matters regarding the office at which the individual, etc. registration-related affairs are conducted;
 - (iii) matters regarding the system for conducting the individual, etc. registration-related affairs;
 - (iv) matters regarding the procedures for conducting the checks under items (ii) through (iv) of paragraph (1);
 - (v) matters regarding receipt of fees;
 - (vi) matters regarding the maintenance of the confidentiality of individual, etc. registration-related affairs;
 - (vii) matters regarding the management of books, documents, etc. related to the individual, etc. registration-related affairs;
 - (viii) beyond what is set forth in the preceding items, other matters necessary for conducting the individual, etc. registration-related affairs.
- (4) If an individual, etc. registration organization wishes to obtain the authorization under the first sentence of paragraph (5) of Article 24 of the Act, the individual, etc. registration organization must submit to the Minister of the Environment a written application stating to that effect accompanied by the organization's rules for conducting the individual, etc. registration-related affairs.
- (5) If an individual, etc. registration organization wishes to obtain the authorization under the second sentence of paragraph (5) of Article 24 of the Act, the individual, etc. registration organization must submit to the Minister of the Environment a written application giving the following information:
- (i) matters intended to be changed;
 - (ii) intended date of change;
 - (iii) reason for the change.

(Electromagnetic Means)

- Article 14-2 (1) The means specified by Ministry of the Environment Order referred to in Article 24, paragraph (7), item (iii) of the Act are the display of information recorded in the electromagnetic records on paper or on the imaging screen of an output device.
- (2) The means specified by Ministry of the Environment Order referred to in Article 24, paragraph (7), item (iv) of the Act are the following:
- (i) using an electronic information processing organization connecting a computer used by the sender and a computer used by the recipient through

- telecommunication lines, and sending the relevant information through the telecommunication lines and recording the information in a file prepared in the computer used by the recipient;
- (ii) providing a file which has been created on a magnetic disk or any other thing that reliably keeps a record of certain information by means similar to a magnetic disk and which contains the relevant information.
- (3) The means set forth in the items of the preceding paragraph must be those that allow the recipient to produce documents by reading out records in the file.

(Books)

Article 15 The information specified by Ministry of the Environment Order referred to in Article 24, paragraph (8) of the Act is the following:

- (i) name and address of each applicant (or, in the case of a corporation, its name, the name of its representative, and the location of its principal office);
- (ii) date of receipt of the application for registration;
- (iii) name of the species of the individual, etc. for which the application is filed;
- (iv) whether the individual, etc. for which the application is filed is a live individual, an egg, a stuffed specimen or other specimen, a body part of an individual, a processed product of a body part of an individual, or any other individual, etc. (in the case of a body part of an individual or a processed product of that body part, its category and name);
- (v) main characteristics of the individual, etc. for which the application is filed;
- (vi) of the requirements prescribed in Article 8 of the Order, the requirement satisfied by the individual, etc. for which the application is filed;
- (vii) types of documents by which satisfaction of the relevant requirement prescribed in Article 8 of the Order is checked;
- (viii) if the individual, etc. for which an application is filed is a live individual of any of the species set forth in the items of paragraph (3) of Article 11, the measure for identifying the individual, etc. and its individual identification number;
- (ix) whether registration or renewal thereof is conducted;
- (x) date on which registration is effected;
- (xi) registration code number.

(Application for Permission of Suspension or Discontinuation of Individual, etc. Registration-related Affairs)

Article 16 An individual, etc. registration organization wishing to obtain permission under Article 24, paragraph (9) of the Act must submit to the Minister of the Environment a written application giving the following information:

- (i) scope of the individual, etc. registration-related affairs for which suspension

- or discontinuance is intended;
- (ii) intended date of suspension or discontinuation;
- (iii) in the case of suspension, the duration thereof;
- (iv) reason for the suspension or discontinuation.

(Handover of Individual, etc. Registration-related Affairs)

Article 17 If the Minister of the Environment conducts all or part of the individual, etc. registration-related affairs of an individual, etc. registration organization pursuant to Article 24, paragraph (10) of the Act, or if an individual, etc. registration organization discontinues all or part of its individual, etc. registration-related affairs with permission under paragraph (9) of the same Article, or if the Minister of the Environment cancels the organization registration of an individual, etc. registration organization under the provisions of Article 26, paragraph (4) or (5) of the Act, the individual, etc. registration organization must take the following actions:

- (i) hand over its individual, etc. registration-related affairs to the Minister of the Environment;
- (ii) hand over its books and documents related to its individual, etc. registration-related affairs to the Minister of the Environment;
- (iii) any other action found to be necessary by the Minister of the Environment.

(Form of the Identification Referred to in Article 27, Paragraph (2) of the Act)

Article 18 The form of the identification referred to in Article 27, paragraph (2) of the Act is as shown in Form 5.

(Payment of Fees for Registration)

Article 19 (1) A fee provided in Article 29 of the Act, if paid to the State, must be paid by affixing a revenue stamp in the amount of the fee to a written application prescribed in Article 20, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 20-2, paragraph (2) of the Act) or in any of Article 11, paragraphs (7) through (10), or if paid to an individual, etc. registration organization, must be paid pursuant to the provisions of the rules for conducting the individual, etc. registration-related affairs referred to in Article 24, paragraph (5) of the Act.

(2) No fee paid pursuant to the provisions of the preceding paragraph is refundable.

Chapter II Regulations for Protection of Habitat

(Public Notice of Designation of a Habitat Protection Zone or Changes to the Designation)

Article 20 Public notice under the provisions of Article 36, paragraph (5) of the Act are to be given with regard to the information set forth in the following items by using the Internet or by other appropriate means:

- (i) areas subject to the designation of a habitat protection zone or to changes to the designation;
- (ii) name of the habitat protection zone subject to the designation or changes thereto;
- (iii) proposal for the guidelines for the protection of the areas subject to the designation of a habitat protection zone or to changes to the designation;
- (iv) place for inspecting the areas and name of the habitat protection zone subject to the designation or changes thereto, as well as the proposal for the guidelines for the protection of those areas.

(Public Hearing)

Article 21 (1) If the Minister of the Environment intends to hold a public hearing pursuant to the provisions of Article 36, paragraph (7) of the Act (including as applied mutatis mutandis pursuant to Article 37, paragraph (3) of the Act), the minister is to give public notice of the date, time, and place of the public hearing and the matter on which opinions will be heard, and also is to give notice to the same effect to persons who the minister finds should be heard with regard to the matter (hereinafter each referred to as a "speaker at public hearing" in this Article).

- (2) The public notice under the preceding paragraph is to be given in the official gazette at least three weeks prior to the date of the public hearing.
- (3) A public hearing is presided over by the Minister of the Environment or the designee thereof, who will serve as the chairperson.
- (4) At a public hearing, the chairperson must first allow those speakers at public hearing who have submitted a written opinion raising an objection and other persons who have objections to the matter on which opinions will be heard to state the details of and reasons for their objections.
- (5) Before making a statement, a speaker at public hearing must obtain the permission of the chairperson.
- (6) If found to be particularly necessary, the chairperson may allow persons who observe the public hearing to make statements.
- (7) Statements by speakers at public hearing or persons permitted to make statements must not go beyond the scope of the matter on which opinions are being heard.
- (8) If a speaker at public hearing or a person permitted to make statements makes statements beyond the scope prescribed in the preceding paragraph or acts inappropriately, the chairperson may prohibit the speaker or the person from making statements or may eject the speaker or the person.

- (9) If found to be necessary to maintain the order of a public hearing, the chairperson may expel the person who has disturbed order or has acted inappropriately.
- (10) Without delay after the closing of a public hearing, the chairperson must prepare, and sign and seal, a record containing important information on the process of the public hearing.

(Public Notice of Designation of a Controlled Area or Changes to the Designation)

Article 22 The provisions of Article 20 apply mutatis mutandis to any public notice under the provisions of Article 36, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 37, paragraph (3) of the Act. In this case, the phrase "habitat protection zone" is deemed to be replaced with "controlled area."

(Application for Permission of Acts in a Controlled Area)

Article 23 (1) An application for permission under the provisions of Article 37, paragraph (5) of the Act is to be filed by submitting a written application giving the information set forth in the following items:

- (i) address and name of the applicant (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative);
- (ii) type of the act;
- (iii) purpose of the act;
- (iv) place of the act;
- (v) conditions of the place of the act and its surroundings;
- (vi) how the act will be conducted (including how to mitigate the impact of the act on the habitat of individuals of the nationally rare species of wild fauna and flora relevant to the designation; the same applies in the following paragraph);
- (vii) intended dates of start and completion.

(2) The written application prescribed in the preceding paragraph must be accompanied by the drawings set forth in the following items:

- (i) a topographical map on a scale of at least 1: 50,000 indicating the location of the place of the act;
- (ii) an overview map on a scale of at least 1: 5,000 and a chromophotograph indicating the conditions of the place of the act and its surroundings;
- (iii) plans, elevations, sections, and structural drawings on a scale of at least 1: 1,000 indicating how the act will be conducted.

(Notification of an Act Already Commenced)

Article 24 (1) The information specified by Ministry of the Environment Order

referred to in Article 37, paragraph (8) of the Act is as set forth in the following items:

- (i) address and name of the actor (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative);
 - (ii) type of the act;
 - (iii) purpose of the act;
 - (iv) place of the act;
 - (v) conditions of the place of the act and its surroundings;
 - (vi) how the act will be conducted;
 - (vii) date or intended date of completion of the act.
- (2) Notification under the provisions of Article 37, paragraph (8) of the Act is to be made by submitting a written notification giving the information set forth in the items of the preceding paragraph.
- (3) The written notification prescribed in the preceding paragraph must be accompanied by the drawings set forth in the following items:
- (i) a topographical map on a scale of at least 1: 50,000 indicating the location of the place of the act;
 - (ii) an overview map on a scale of at least 1: 5,000 and a chromophotograph indicating the conditions of the place of the act and its surroundings;
 - (iii) plans, elevations, sections, and structural drawings on a scale of at least 1: 1,000 indicating how the act will be conducted.

(Acts in a Controlled Area Not Requiring Permission)

Article 25 The acts specified by Ministry of the Environment Order referred to in Article 37, paragraph (9), item (ii) of the Act are those set forth in the following items:

- (i) newly constructing, or renovating or expanding, a structure as set forth in the following:
 - (a) installing signages for the protection and management of forests or signages, nest boxes, feeders or water feeders for the protection and reproduction of wild birds and mammals;
 - (b) renovating or expanding an erosion control facility as defined in Article 1 of the Erosion Control Act, a coastal preservation facility as defined in Article 2, paragraph (1) of the Coast Act, a landslide prevention facility as defined in Article 2, paragraph (3) of the Landslide Prevention Act, a steep slope failure prevention facility as defined in Article 2, paragraph (2) of the Act on Prevention of Disasters Caused by Steep Slope Failure, or a facility for prevention of avalanche;
 - (c) renovating or expanding a river management facility as defined in Article 3, paragraph (2) of the River Act or making improvements to a limited portion of a river without making significant changes to the existing

- conditions of the river;
- (d) installing or constructing signages, piles, an alarm system, rain gauge station, water level gauge station, or other structures similar to these to manage land designated pursuant to the provisions of Article 2 of the Erosion Control Act, a coastal preservation zone prescribed in Article 3 of the Coast Act, a landslide prevention zone prescribed in Article 3 of the Landslide Prevention Act, a river area as defined in Article 6, paragraph (1) of the River Act, or a steep slope failure hazard area prescribed in Article 3 of the Act on Prevention of Disasters Caused by Steep Slope Failure;
 - (e) installing or constructing signages, piles, an alarm system, rain gauge station, water level gauge station, or other structures similar to these pursuant to the provisions of the relevant laws and provisions or for security purposes;
 - (f) installing survey markers as defined in Article 10, paragraph (1) of the Survey Act or waterway survey markers as defined in Article 5, paragraph (1) of the Act on Services Related to Waterways;
 - (g) renovating or expanding a facility set forth in Article 3, item (i) or item (ii), (a), (b), (c), (k), or (l) of the Act on Development of Fishing Ports and Grounds (in the case of the facility set forth in (a) of the same item, excluding a parking facility or heliport and, in the case of the facility set forth in (c) of the same item, limited to a site for public facilities), a facility which is actually deemed to be a fishing port facility pursuant to the provisions of Article 40 of the same Act at the time of designation of the controlled area, or a facility which was deemed to be a fishing port facility pursuant to the provisions of the same Article and which was constructed with permission under the provisions of Article 37, paragraph (4) of the Act (including any act subject to consultation under the provisions of Article 54, paragraph (2) of the Act);
 - (h) installing signages pursuant to the fishing port management rules prescribed in Article 34 of the Act on Development of Fishing Ports and Grounds;
 - (i) renovating or expanding a facility related to a project for improvement of the structure of coastal fisheries necessary to improve and develop the production infrastructure for coastal fisheries;
 - (j) renovating or expanding a facility for reproduction or cultivation related to a project under a coastal fishery resources development plan prescribed in Article 7 of the Marine Resources Development Promotion Act;
 - (k) renovating or expanding a facility related to a project for installation of artificial fish reefs for coastal fisheries, or development of farms and beds for aquatic plants or animals, or conservation of coastal fisheries grounds,

with the abovementioned activities being conducted under a long-term plan for development of fishing ports and grounds as defined in Article 6-3, paragraph (1) of the Act on Development of Fishing Ports and Grounds, or renovating or expanding a facility related to a project for production and release of seedlings of aquatic animals and for rearing of aquatic animals under the basic guidelines as defined in Article 6, paragraph (1) of the Coastal Fisheries Grounds Enhancement and Development Program Act (Act No. 49 of 1974) and the basic plan as defined in Article 7-2, paragraph (1) of the same Act;

- (l) renovating or expanding a road (limited to a small expansion of the width, paving, grading, linear improvement, or any other act which does not make significant changes to the existing conditions of the road);
- (m) renovating or expanding traffic signals, safety barriers, earth retaining walls, or any other facility for securing the safety of a road, railway, track or cableway (in the case of traffic signals, including setting up new ones);
- (n) renovating or expanding a railway facility, a structure related to a track, or a cableway facility in association with maintenance or management thereof;
- (o) installing facilities which display station name plates, station signages, fare tables, conditions of carriage, or other things similar to these at a station building of a railway, track, or cableway or at a business office or waiting area of a passenger transport business using automobiles or vessels;
- (p) renovating or expanding a platform (including any building above it) of a railway, track or cable way;
- (q) renovating or expanding a waste oil disposal facility as defined in Article 3, item (xiv) of the Act on Prevention of Marine Pollution and Maritime Disaster;
- (r) renovating or expanding a port facility as defined in Article 2, paragraph (5) of the Port and Harbor Act (Act No. 218 of 1950) or a facility which is deemed to be a port facility pursuant to the provisions of paragraph (6) of the same Article;
- (s) renovating or expanding navigation aids or any other facility for securing the safety of traffic of vessels;
- (t) newly constructing a structure as an emergency measure for avoiding impending danger to a vessel or cargo;
- (u) renovating or expanding an air navigation facility as defined in Article 2, paragraph (5) of the Civil Aeronautics Act;
- (v) renovating or expanding a post box, collective mailbox, letter post box, or public phone facility, or landmarks referred to in Article 141, paragraph (3) of the Telecommunications Business Act;

- (w) renovating or expanding wireways for wire telecommunication or an antenna system (including supports thereof);
- (x) renovating or expanding electric facilities as defined in Article 2, paragraph (1), item (xviii) of the Electricity Business Act (Act No. 170 of 1964) (limited to renovation or expansion that does not make significant changes to the existing conditions of the electric facilities);
- (y) installing a power pole;
- (z) installing a facility for observation of meteorological or terrestrial phenomena, ground motion, terrestrial magnetism or electricity, or hydrological phenomena;
- (aa) installing measuring instruments for environmental or geological research;
- (bb) renovating or expanding water facilities as defined in Article 3, paragraph (8) of the Water Supply Act (Act No. 177 of 1957), a general waste treatment facility referred to in Article 8, paragraph (1) of the Waster Management and Public Cleansing Act (Act No. 137 of 1970), or an industrial waste treatment facility as defined in Article 15, paragraph (1) of the same Act;
- (cc) burying water or gas pipes, electrical lines for electric supply, wireways for wire telecommunication, or other structures similar to these, in each case under a road;
- (dd) burying water pipes under cropland;
- (ee) installing a shrine gate, garden lantern, gravestone, or other things similar to these on the premises of a shrine or temple or in a cemetery;
- (ff) renovating or expanding a watchtower, alarm bell tower or other things similar to these to be made available for fire prevention or flood prevention purposes;
- (gg) renovating or expanding retaining walls or drainage facilities on residential properties or any other facility necessary for prevention of disasters affecting residential properties;
- (hh) renovating or expanding an agricultural irrigation or drainage system (limited to renovation or expansion that does not make significant changes to the existing conditions of the river or the agricultural irrigation or drainage canal);
- (ii) newly constructing, or renovating or expanding, any of the following structures on premises where a building is located (in the case of renovation or expansion of the structure set forth in 2 or 7, limited to renovation or expansion after which the renovated or expanded structure is one that is set forth in 2 or 7, as the case may be):
 1. an antenna system (including supports thereof) or any other things similar thereto;

2. a drying area at a height no higher than the building;
 3. a flag pole or any other thing similar thereto;
 4. a gate, fence, water supply system, or fire extinguishing system;
 5. building equipment as defined in Article 2, item (iii) of the Building Standards Act (Act No. 201 of 1950);
 6. a structure (excluding a building) installed underground;
 7. any other structure (excluding a building) with a height no higher than five meters;
- (jj) installing a temporary structure (excluding a lodgment) for performing an act with permission under the provisions of Article 37, paragraph (4) of the Act (including any act subject to consultation under the provisions of Article 54, paragraph (2) of the Act) or any of the acts set forth in the items of this Article, within the construction site at which the relevant act takes place;
- (ii) modifying the characteristics of land on premises where a building is located;
- (iii) mining minerals or quarrying soil or stone as set forth in the following:
- (a) mining minerals or quarrying soil or stone on premises where a building is located;
 - (b) conducting drilling for mining minerals in an area of land subject to a mining right as defined in Article 5 of the Mining Act;
 - (c) mining minerals or quarrying soil or stone by means other than surface mining;
 - (d) conducting boring for geological research;
 - (e) sampling rock or stone fragments or sediments for environmental research;
 - (f) conducting test drilling for groundwater or hot spring water (limited to test drilling in which the test pit has a bottom hole diameter of no more than thirty centimeters and in which measures for mitigating the impact on the surrounding natural environment are taken);
 - (g) mining minerals or quarrying soil or stone for education or academic research at a university (limited to mining or quarrying for which notification is made to the Minister of the Environment (or, in the case of a public university, mining or quarrying for which notice is given to the Minister of the Environment) in advance);
- (iv) filling in a pond or other lake or marsh on premises where a building is located;
- (v) causing increases and decreases in the water level or volume of a river, lake, or other lake or marsh as set forth in the following:
- (a) causing increases and decreases in the water level or volume of a pond or other lake or marsh on premises where a building is located;

- (b) causing increases and decreases in water level or volume of a pond or marsh on cropland;
- (c) causing increases and decreases in the water level or volume of a pond, or other lake or marsh by operating a structure whose construction has already been commenced at the time of designation of the controlled area;
- (vi) felling trees and bamboo as set forth in the following:
 - (a) felling trees and bamboo with a height of no more than ten meters on premises where a building is located;
 - (b) selectively cutting a tree or bamboo (limited to selectively cutting a single tree) for self-use;
 - (c) weeding, climber cutting, or thinning for forest cultivation;
 - (d) felling withered or dangerous trees and bamboo;
 - (e) felling trees and bamboo constituting a hindrance to surveying, field research, or facility maintenance;
 - (f) felling trees and bamboo that interfere with observation of meteorological or terrestrial phenomena, terrestrial magnetism or electricity, or hydrological phenomena;
 - (g) felling trees and bamboo obstructing navigation aids;
- (vii) discharging sewage or waste water into a lake or wetland designated by the Minister of the Environment or into any body of water or waterway that flows into the lake or wetland, by installing a drainage facility at the lake or wetland or in the areas within one kilometer of the lake or wetland, as set forth in the following:
 - (a) discharging sewage or waste water from an erosion control facility as defined in Article 1 of the Erosion Control Act, a facility related to a protection facility project as defined in Article 41, paragraph (3) of the Forest Act, a coastal preservation facility as defined in Article 2, paragraph (1) of the Coast Act, a landslide prevention facility as defined in Article 2, paragraph (3) of the Landslide Prevention Act, a river management facility as defined in Article 3, paragraph (2) of the River Act, a steep slope failure prevention facility as defined in Article 2, paragraph (2) of the Act on Prevention of Disasters Caused by Steep Slope Failure, or a facility for prevention of avalanches;
 - (b) discharging sewage or waste water from a fishing port facility as defined in Article 3 of the Act on Development of Fishing Ports and Grounds which is maintained by a fishing port administrator designated pursuant to the provisions of Article 25 of the same Act;
 - (c) discharging cooling water from a vessel;
 - (d) discharging sewage or waste water into or from sewerage;
 - (e) discharging sewage or waste water from housing (excluding discharging human waste);

- (f) discharging sewage or waste water from a human waste septic tank prescribed in Article 31, paragraph (2) of the Building Standards Act (limited to a human waste septic tank whose performance is appropriate for the number of persons served as specified in Article 32 of the Order for Enforcement of the Building Standards Act (Cabinet Order No. 338 of 1950));
- (g) discharging sewage or waste water from water facilities as defined in Article 3, paragraph (8) of the Water Supply Act, a general waste treatment facility referred to in Article 8, paragraph (1) of the Waster Management and Public Cleansing Act, or effluent treatment equipment provided in an industrial waste treatment facility as defined in Article 15, paragraph (1) of the same Act;
- (h) discharging sewage or waste water from a vessel as defined in Article 3, paragraph (1) of the Act on Prevention of Marine Pollution and Maritime Disaster or from a marine facility as defined in item (x) of the same Article;
- (viii) using a motor vehicle, horse, or motorboat or landing aircraft as set forth in the following, within an area designated by the Minister of the Environment from among areas other than roads, open spaces set aside for public use, rice fields or other cultivated fields, pastures, or residential land:
 - (a) using a motor vehicle, horse, or motorboat or landing aircraft to manage or maintain an erosion control facility as defined in Article 1 of the Erosion Control Act or to monitor land designated pursuant to the provisions of Article 2 of the same Act;
 - (b) using a motor vehicle, horse, or motorboat or landing aircraft to manage a coastal preservation zone prescribed in Article 3 of the Coast Act;
 - (c) using a motor vehicle, horse, or motorboat or landing aircraft to manage a landslide prevention zone prescribed in Article 3, paragraph (1) of the Landslide Prevention Act or to do research for the purpose of designating a landslide prevention zone under the provisions of the same paragraph;
 - (d) using a motor vehicle, horse, or motorboat or landing aircraft to manage, or conduct research for the purpose of designating a river as defined in Article 3, paragraph (1) of the River Act or any other waterway made available for public use (including research for the purpose of designating a river area as defined in Article 6, paragraph (1) of the same Act, designating a river conservation area under Article 54, paragraph (1) of the same Act, or designating a projected river area under Article 56, paragraph (1) of the same Act);
 - (e) using a motor vehicle, horse, or motorboat or landing aircraft to manage a steep slope failure hazard area prescribed in Article 3, paragraph (1) of the Act on Prevention of Disasters Caused by Steep Slope Failure or to conduct research for the purpose of designating a steep slope failure hazard area

- under the provisions of the same paragraph;
- (f) using a motor vehicle, horse, or motorboat or landing aircraft to conduct research for the purpose of doing construction works to prevent avalanches;
 - (g) using a motor vehicle, horse, or motorboat to operate a sportfishing boat service as defined in Article 2, paragraph (1) of the Act on Regulation of Sportfishing Boat Service (Act No. 99 of 1988);
 - (h) using a motor vehicle, horse, or motorboat or landing aircraft to manage land improvement facilities as defined in Article 2, paragraph (2), item (i) of the Land Improvement Act (Act No.195 of 1949);
 - (i) use of a motorboat by a person that has obtained a license for a general passenger liner service pursuant to the provisions of Article 3 of the Marine Transportation Act (Act No. 187 of 1949), a person that has made notification of a tramp service pursuant to the provisions of Article 20 of the same Act, or a person that has obtained permission for a passenger tramp service pursuant to the provisions of Article 21 of the same Act, for the purpose of operating the relevant service in each of the abovementioned cases;
 - (j) use of a motorboat by a port authority established pursuant to the provisions of Article 4 of the Port and Harbor Act, in order to clean the sea surface or collect floating oil;
 - (ix) capturing or taking other actions regarding individuals or other creatures of species of wild fauna or flora as set forth in the following:
 - (a) removing plants constituting a hindrance to surveying, field research, or facility maintenance;
 - (b) removing plants that interfere with observation of meteorological or terrestrial phenomena, ground motion, terrestrial magnetism or electricity, or hydrological phenomena;
 - (c) removing plants obstructing navigation aids;
 - (d) collecting or catching aquatic plants or animals subject to fishing rights for inland waters;
 - (x) beyond what is set forth in the preceding items, the following acts:
 - (a) an act which is permitted under Article 34, paragraph (2) of the Forest Act (including as applied mutatis mutandis pursuant to Article 44 of the same Act) and is performed by a person with the permission in protected forest areas, etc. (excluding the acts set forth in Article 37, paragraph (4), items (vi), (ix), and (xii) through (xiv) of the Act);
 - (b) any of the acts prescribed in Article 34, paragraph (2) of the Forest Act (including as applied mutatis mutandis pursuant to Article 44 of the same Act) performed in protected forest areas, etc. in cases falling under any of the items of paragraph (2), Article 34 of the same Act (excluding the acts

- set forth in Article 37, paragraph (4), items (ix) and (xii) through (xiv) of the Act) or an act of conducting the program or conducting any of the works provided in Article 63, item (i) of the Regulation for Enforcement of the Forest Act (Ministry of Agriculture, Forestry and Fisheries Order No. 54 of 1951) (excluding the acts set forth in Article 37, paragraph (4), items (xiii) and (xiv) of the Act);
- (c) an act performed under an administration plan for protected water surface referred to in Article 17, paragraph (1) of the Act on the Protection of Fishery Resources (excluding the acts set forth in Article 37, paragraph (4), items (vii) and (x) through (xiv));
 - (d) an act performed to engage in agriculture, forestry or fisheries; provided, however, that the following are excluded:
 1. the acts set forth in Article 37, paragraph (4), items (vii) and (x) through (xiv) of the Act;
 2. newly constructing, or renovating or expanding, any housing, or a building (excluding temporary one) with a height of more than five meters or a total floor area of more than one hundred square meters (including renovation or expansion after which the renovated or expanded building has a height of more than five meters or a total floor area of more than one hundred square meters);
 3. newly constructing, or renovating or expanding, an irrigation or drainage system (excluding a waterway with a width of no more than two meters) or a farm road or forest road with a width of more than two meters (including renovation or expansion after which the renovated or expanded road has a width of more than two meters);
 4. newly constructing a dam to prevent disasters affecting agricultural land;
 5. developing residential land or clearing land;
 6. reclaiming land from water by landfill or drainage;
 7. felling trees and bamboo in areas of forest land;
 - (e) acts performed as experimental research on the site of an experimental research institution of the national government or that of a local government (excluding the acts set forth in Article 37, paragraph (4), items (vii) and (x) through (xiv) of the Act);
 - (f) acts performed as education or academic research on the site of a university (excluding the acts set forth in Article 37, paragraph (4), items (vii) and (x) through (xiv) of the Act);
 - (g) maintaining or managing a railway facility, a structure related to a track, or a cableway facility (excluding the acts set forth in Article 37, paragraph (4), items (vii) and (x) through (xiv) of the Act);
 - (h) acts for conservation of an important cultural property designated under

the provisions of Article 27, paragraph (1) of the Act on Protection of Cultural Properties, an important tangible folk cultural property designated under the provisions of Article 78, paragraph (1) of the same Act, a buried cultural property as defined in Article 92, paragraph (1) of the same Act, a historic site, place of scenic beauty, or natural monument designated under the provisions of Article 109, paragraph (1) of the same Act or provisionally designated under the provisions of Article 110, paragraph (1) of the same Act, an important cultural landscape selected under the provisions of Article 134, paragraph (1) of the same Act, or an article certified under the provisions of Article 2, paragraph (1) of the former Act for the Preservation of Important Works of Art (excluding constructing a building and the acts set forth in Article 37, paragraph (4), items (vii) and (x) through (xiv) of the Act);

- (i) releasing designated invasive alien species as permitted under Article 9-2, paragraph (1) of the Act on the Prevention of Adverse Ecological Impacts Caused by Designated Invasive Alien Species (Act No. 78 of 2004);
- (j) catching, collecting, or killing designated invasive alien species to be controlled under the provisions of Chapter 3 of the Act on the Prevention of Adverse Ecological Impacts Caused by Designated Invasive Alien Species or releasing designated invasive alien species made sterile for the purpose of controlling the species;
- (k) preventing or investigating crimes, rescuing accident victims, or other acts similar to these;
- (l) statutory examination or inspection or other acts similar to these;
- (m) an act performed as performance of a statutory obligation or an obligation imposed as a result of a statutory disposition;
- (n) an act for repair of a structure;
- (xi) acts which are incidental to the act set forth in Article 37, paragraph (4), item (vi) of the Act performed by the method and within the limits designated by the Minister of the Environment pursuant to the provisions of paragraph (9), item (iii) of the same Act or which are incidental to any of the acts set forth in the preceding items.

(Notification of an Act Constituting an Emergency Measure Necessary to Deal with an Emergency Disaster)

Article 26 (1) Notification under the provisions of Article 37, paragraph (10) of the Act is to be made by submitting a written notification giving the information set forth in the following items.

- (i) address and name of the actor (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative);
- (ii) type of the act;

- (iii) purpose of the act;
 - (iv) place of the act;
 - (v) conditions of the place of the act and its surroundings;
 - (vi) how the act will be implemented;
 - (vii) date or intended date of completion of the act.
- (2) The written notification prescribed in the preceding paragraph must be accompanied by a topographical map on a scale of at least 1: 50,000 indicating the location of the place of the act.

(Acts Not Subject to Restricted Access to Restricted Sections)

Article 27 The acts specified by Ministry of the Environment Order referred to in Article 38, paragraph (4), item (ii) of the Act are those set forth in the following items:

- (i) the act set forth in Article 1-5, item (iv), (v), Article 25, item (i), (d), (f), or (z), or any of (k) through (n) of item (x) of the same Article;
- (ii) protecting or managing forest or protecting or reproducing wild birds or mammals or installing signages for any of these acts;
- (iii) mining minerals or quarrying soil or stone, in each case underground;
- (iv) conducting a survey pursuant to the provisions of Article 3 of the Survey Act or a waterway survey under the provisions of Article 2, paragraph (1) of the Act on Services Related to Waterways;
- (v) observing meteorological or terrestrial phenomena, ground motion, terrestrial magnetism or electricity, or hydrological phenomena;
- (vi) acts for the safety of electric facilities as defined in Article 2, paragraph (1), item (xviii) of the Electricity Business Act, gas facilities as defined in Article 2, paragraph (13) of the Gas Business Act, heat supply facilities as defined in Article 2, paragraph (4) of the Heat Supply Business Act (Act No. 88 of 1972), or industrial water supply facilities as defined in Article 2, paragraph (6) of the Industrial Water Supply Business Act;
- (vii) acts for conservation of a historic site, place of scenic beauty, or natural monument designated under the provisions of Article 109, paragraph (1) of the Act on Protection of Cultural Properties or provisionally designated under the provisions of Article 110, paragraph (1) of the same Act (excluding newly constructing a building or modifying the characteristics of land);
- (viii) catching, collecting, or killing designated invasive alien species to be controlled under the provisions of Chapter 3 of the Act on the Prevention of Adverse Ecological Impacts Caused by Designated Invasive Alien Species, in cases where the Minister of the Environment finds that it is necessary to urgently control the designated invasive alien species under these provisions;
- (ix) any act incidental to any of the acts set forth in the preceding items.

(Application for Permission of Entry to a Restricted Section)

Article 28 (1) An application for permission under Article 37, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 38, paragraph (5) of the Act is to be filed by submitting a written application giving the information set forth in the following items:

- (i) address and name of the applicant (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative);
 - (ii) act for which entry will be made;
 - (iii) location and name of the restricted section;
 - (iv) number of persons who will enter and the method of entry;
 - (v) intended date of commencement of entry and intended duration of entry.
- (2) The written application prescribed in the preceding paragraph must be accompanied by a location map and by drawings indicating the route for entry or the scope of entry or other procedures for entry.

(Notification of Acts to be Undertaken in a Monitoring Area)

Article 29 (1) The information specified by Ministry of the Environment referred to in Article 39, paragraph (1) of the Act is the information set forth in the items of paragraph (1) of Article 23.

- (2) Notification under the provisions of Article 39, paragraph (1) of the Act is to be made by submitting a written notification giving the information set forth in the preceding paragraph.
- (3) The written notification prescribed in the preceding paragraph must be accompanied by the drawings set forth in the items of paragraph (2) of Article 23.

(Acts in a Monitoring Area Not Requiring Notification)

Article 30 The acts specified by Ministry of the Environment Order referred to in Article 39, paragraph (6), item (ii) of the Act are those set forth in the following items:

- (i) newly constructing, or renovating or expanding, a structure as set forth in the following:
 - (a) the acts set forth in Article 25, item (i), (a) through (hh) (excluding (g), (cc), and (dd));
 - (b) newly constructing, or renovating or expanding, any of the following structures (in the case of renovation or expansion, limited to renovation or expansion after which the renovated or expanded structure is any of those set forth in 1 through 3):
 1. a building with a total floor area of no more than two hundred square meters or a structure (excluding a building) with a horizontal projected area of no more than two hundred square meters (or, if in a marine

- area, one hundred square meters);
2. a steel tower, chimney, or any other thing similar to these with a height of no more than thirty meters;
 3. a dam with a height of no more than twenty meters.
- (c) renovating or expanding a facility set forth in Article 3, item (i) or item (ii), (a), (b), (c), (k) or (l) of the Act on Development of Fishing Ports and Grounds (in the case of the facility set forth in (a) of the same item, excluding a parking facility or heliport and, in the case of the facility set forth in (c) of the same item, limited to a site for public facilities), a facility which is actually deemed to be a fishing port facility pursuant to the provisions of Article 40 of the same Act at the time of designation of the habitat protection zone, or a facility which was deemed to be a fishing port facility pursuant to the provisions of the same Article and which was constructed by making notification under the provisions of Article 39, paragraph (1) of the Act (including any act subject to notice under the provisions of Article 54, paragraph (3) of the Act);
- (d) constructing a road to be made available mainly for pedestrian or bicycle traffic;
- (e) burying water or gas pipes, electrical lines for electric supply, wireways for wire telecommunication, or other structures similar to these;
- (f) newly constructing, or renovating or expanding, a river or any other waterway to be made available for public use with a width of no more than four meters (excluding renovation or expansion after which the renovated or expanded river or waterway will have a width of more than four meters);
- (g) renovating or expanding an office of Japan Post Co., Ltd. (including a facility which performs the commissioned services referred to in Article 7, paragraph (1) of the Postal Agency Act (Act No. 213 of 1949)) or a business office of a general correspondence delivery operator as defined in Article 2, paragraph (6) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) or a specified correspondence delivery operator as defined in paragraph (9) of the same Article;
- (h) renovating or expanding industrial water supply facilities as defined in Article 2, paragraph (6) of the Industrial Water Supply Business Act;
- (i) installing a temporary structure (excluding a lodgment) for performing an act for which notification under the provisions of Article 39, paragraph (1) of the Act (including notice under the provisions of Article 54, paragraph (3) of the Act) (limited to an act which does not violate the order issued under the provisions of Article 39, paragraph (2) of the Act and for which the period specified in paragraph (5) of the same Article has expired) or any of the acts set forth in the items of this Article, within the construction site at which the relevant act takes place;

- (ii) developing residential land, clearing land, or otherwise modifying the characteristics of land (including the bed of a body of water) as set forth in the following:
 - (a) modifying the characteristics of land in order to construct or manage a road or a river or any other waterway to be made available for public use in the cases that none of the above are structures;
 - (b) modifying the characteristics of land for educational, experimental research, or academic research purposes;
 - (c) modifying the characteristics of land for beach nourishment purposes;
 - (d) modifying the characteristics of land within the plot of land where the new construction or the renovation or expansion will take place, in order to perform the act set forth in item (i), (b);
 - (e) modifying the characteristics of land with an area of no larger than two hundred square meters (or, if on the ocean floor, one hundred square meters) without cutting or filling earth to create a slope with a height of more than two meters;
- (iii) mining minerals or quarrying soil or stone as set forth in the following:
 - (a) any of the acts set forth in Article 25, item (iii), (b) through (e);
 - (b) quarrying soil or stone for groundwater or hot spring water;
 - (c) mining minerals or quarrying soil or stone for educational, experimental research, or academic research purposes;
 - (d) mining minerals or quarrying soil or stone for geological investigation to construct a structure;
 - (e) the land on which the act will take place has an area of no larger than two hundred square meters (or, if on the ocean floor, one hundred square meters) and will involve no cutting or filling of earth to create a slope with a height of more than two meters;
- (iv) reclaiming land by landfill or drainage from water with an area of no more than two hundred square meters (or, in the case of sea, one hundred square meters);
- (v) causing increases and decreases in the water level or volume of a pond or other lake or marsh as set forth in the following:
 - (a) causing increases and decreases in water level or volume of a pond or other lake or marsh on cropland;
 - (b) causing increases and decreases in water level or volume of a pond or other lake or marsh in a monitoring area in a habitat protection zone by operating a structure whose construction has already been commenced at the time of designation of the habitat protection zone;
- (vi) beyond what is set forth in the preceding items, the following acts:
 - (a) the act set forth in Article 1-5, item (iv), (x) or any of (k) through (n) of item (x) of Article 25;

- (b) conducting a basic survey as defined in Article 4 of the Survey Act or a public survey as defined in Article 5 of the same Act;
- (c) performing in protected forest areas, etc. any of the acts set forth in Article 37, paragraph (4), items (i) through (iii) of the Act and falling under the provisions of the main clause of paragraph (2) of Article 34 of the Forest Act;
- (d) an act performed under an administration plan for protected water surface referred to in Article 17, paragraph (1) of the Protection of Fishery Resources;
- (e) an act performed to engage in agriculture, forestry or fisheries; provided, however, that the following are excluded:
 1. newly constructing, or renovating or expanding, any housing, or building (excluding a temporary one) with a height of more than ten meters or a total floor area of more than five hundred square meters (including renovation or expansion after which the renovated or expanded building has a height of more than ten meters or a total floor area of more than five hundred square meters);
 2. newly constructing, or renovating or expanding, an irrigation or drainage system (excluding a waterway with a width of no more than four meters) or a farm road or forest road with a width of more than four meters (including renovation or expansion after which the renovated or expanded road has a width of more than four meters);
 3. newly constructing a dam to prevent disasters affecting agricultural land;
 4. developing residential land;
 5. clearing land (excluding cases where a farmer clears land with the intention of operating land in proximity with cropland or grazing land operated by the farmer as one unit);
 6. reclaiming land from water by landfill or drainage (excluding cases where a farmer, with the intention of developing or improving cropland or grazing land, fills in a pond or the like located on the land intended for the development or improvement);
- (f) installation of artificial fish reefs or any other act performed to maintain or develop fishery production infrastructure;
- (g) acts performed as experimental research on the site of an experimental research institution of the national government or that of a local government;
- (h) acts performed as education or academic research on the site of a university;
- (i) maintaining or managing a railway facility, a structure related to a track, or a cableway facility;

- (j) acts (excluding constructing a building) performed on premises where a building is located;
- (vii) an act incidental to any of the acts set forth in the preceding items.

(Form of the Identification Referred to in Article 41, Paragraph (3) of the Act and That Referred to in Article 42, Paragraph (3) of the Act)

Article 31 The form of the identification referred to in Article 41, paragraph (3) of the Act and that referred to in Article 42, paragraph (3) of the Act are as shown in Form 6 and Form 7, respectively.

(Written Claim for Compensation)

Article 32 A claim for compensation under the provisions of Article 44, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 48-3, paragraph (2) of the Act) is to be made by submitting a written claim giving the information set forth in the following items:

- (i) address and name of the claimant (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative);
- (ii) reason for claiming compensation;
- (iii) total amount of compensation claimed and a breakdown thereof.

Chapter III Protection and Reproduction Programs

(Application for Certification of a Protection and Reproduction Program)

Article 33 (1) If a person other than the national government or a local government wishes to obtain certification under Article 46, paragraph (3) of the Act, the person must submit to the Minister of the Environment a written application giving the information set forth in the following items:

- (i) address, name, and occupation of the applicant (or, in the case of a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
- (ii) intended date of commencement of the protection and reproduction program.

(2) The written application prescribed in the preceding paragraph must be accompanied by a written program plan for the protection and reproduction program and by the documents set forth in the following items:

- (i) a document containing a profile of the applicant (or, in the case of a corporation, a document providing an outline of the business actually engaged in by the applicant);
- (ii) in the case of a corporation, the applicant's articles of incorporation or act of endowment, a certificate of its registered information, and documents providing its officers' names and profiles.

(Means of Public Notice of a Certified Protection and Reproduction Program)
Article 34 Public notice under the provisions of Article 46, paragraph (4) of the Act is to be given with regard to the information set forth in the applicable items among the following items depending on which of the cases set forth in the following items the public notice belongs to, by using the Internet or by other appropriate means:

- (i) if public notice is given pursuant to the provisions of the first sentence of paragraph (4) of Article 46 of the Act: the address and name of the person conducting the certified protection and reproduction program (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative) and the program plan for the certified protection and reproduction program;
- (ii) if public notice is given pursuant to the provisions of the second sentence of paragraph (4) of Article 46 of the Act: the address and name of the person who has conducted the protection and reproduction program whose certification is cancelled (or, in the case of a corporation, the location of its principal office, its name, and the name of its representative).

(Form of the Identification Referred to in Article 48-2, Paragraph (3) of the Act)
Article 35 The form of the identification referred to in Article 48, paragraph (3) of the Act is as shown in Form 8.

Chapter IV Certified Zoos and Botanical Gardens Conserving Rare Species

(Standards for Framework for Rearing and Transfer and for Rearing or Cultivation Facilities)

Article 36 The standards specified by Ministry of the Environment Order referred to in Article 48-4, paragraph (1), item (ii) of the Act are that the systems for the rearing, etc. and transfer, etc. and the rearing or cultivation facilities are found to be capable of appropriately handling individuals of the rare species of wild fauna and flora handled at the zoo, botanical garden, etc. for which certification is applied for, according to the purpose of their rearing, etc. and transfer, etc. and for the purpose of conservation of species.

(Standards for a Plan for Rearing and Transfer)

Article 37 The standards specified by Ministry of the Environment Order referred to in Article 48-4, paragraph (1), item (iii) of the Act are that the plans for the rearing, etc. and transfer, etc. are found to be capable of appropriately handling individuals of the rare species of wild fauna and flora handled at the zoo, botanical garden, etc. for which certification is applied for, according to the purpose of their rearing, etc. and transfer, etc. and for the purpose of species

conservation.

(Standards for a Policy for Exhibition)

Article 38 The standards specified by Ministry of the Environment Order referred to in Article 48-4, paragraph (1), item (v) are the following:

- (i) that the policies for exhibiting the rare species of wild fauna and flora handled at the zoo, botanical garden, etc. for which the application for certification are filed is found to contribute to the appropriate awareness-raising regarding the situation of the species, the significance of their conservation, and the measures and programs for their conservation;
- (ii) that the zoo, botanical garden, etc. for which the applications for certification are filed are found to reproduce, or to contribute to the reproduction of, individuals of one or more of the rare species of wild fauna and flora handled by the zoo, botanical garden, etc. (excluding the species set forth in Appended Table 3 of the Order and those set forth in Article 5, paragraph (2), items (vii) through (ix));
- (iii) that the zoo, botanical garden, etc. for which the applications for certification are filed are found to contribute to programs for promoting the reproduction of individuals of one or more of the nationally rare species of wild fauna and flora handled by the zoo, botanical garden, etc. at their habitats, maintaining these habitats, and otherwise ensuring the conservation of these species;
- (iv) that individuals of the rare species of wild fauna and flora handled at the zoo, botanical garden, etc. for which the applications for certification are filed are found to have been legally acquired;
- (v) that the zoo, botanical garden, etc. for which the applications for certification are filed are not found to be incapable of appropriately handling individuals of the rare species of wild fauna and flora handled at the zoo, botanical garden, etc. for species conservation.

(Application for Certification)

Article 39 (1) A person intending to file an application for certification under Article 48-4, paragraph (1) of the Act pursuant to the provisions of paragraph (2) of the same Article must submit to the Minister of the Environment a written application prescribed in paragraph (2) of the same Article accompanied by the following documents:

- (i) in the case of a person other than the national government or a local government, its articles of incorporation or act of endowment, a list of its officers, and a certificate of its registered information, or the equivalent of these documents;
- (ii) drawings and photographs indicating the size and structure of the rearing

or cultivation facilities for the rare species of wild fauna and flora handled at the zoo, botanical garden, etc. for which the applications for certification are filed;

- (iii) a document stating that the applicant for certification covenants does not fall under any of the items of paragraph (4) of Article 48-4 of the Act;
- (2) The Minister of the Environment may request the person intending to file an application under Article 48-4, paragraph (1) of the Act to submit any documents deemed to be necessary by the minister in addition to a written application prescribed in paragraph (2) of the same Article and the documents prescribed in the items of the preceding paragraph.
- (3) The information specified by Ministry of the Environment Order referred to in Article 48-4, paragraph (2), item (vii) are the following:
 - (i) names of the nationally rare species of wild fauna and flora covered by the programs referred to in item (iii) of the preceding Article to which the applicant for certification contributes;
 - (ii) process of acquisition of the individuals of the rare species of wild fauna and flora handled at the zoo, botanical garden, etc. for which the applications are filed.

(Means of Public Notice of Certified Zoos and Botanical Gardens for Conservation of Rare Species)

Article 40 Public notice under the provisions of Article 38-4, paragraph (5) of the Act is to be given with regard to the information set forth in the following items by using the Internet or by other appropriate means:

- (i) name and address of the person which obtained certification (including cases where certification of change was obtained, notification of change or discontinuation was made, or renewal of certification was obtained; the same applies in the following item and item (vi)) and the name of its representative;
- (ii) name and location of the zoo, botanical garden, etc. for which the certifications were obtained;
- (iii) if certifications or certifications of change are obtained, or if notifications of change are made, or if renewals of certification are obtained, the names of the rare species of wild fauna and flora handled at the zoo, botanical garden, etc.;
- (iv) if certification of change is obtained, the names of the species relevant to the change out of the information set forth in Article 48-4, paragraph (2), items (iii) through (vi) of the Act;
- (v) if notification of change is made, the details of the change;
- (vi) date of certification and the expiry date of the validity period of the certification.

(Application for Certification of Change)

Article 41 (1) A person intending to obtain certification of change under the provisions of Article 48-5, paragraph (1) of the Act must submit to the Minister of the Environment a written application giving the following information:

- (i) name and address of the person wishing to obtain the certification of change and the name of its representative;
- (ii) name and location of the zoo, botanical garden, etc. for which the certifications of change are applied for;
- (iii) date of certification;
- (iv) matters for which change is intended and their details;
- (v) intended date of change;
- (vi) reason for the change.

(2) The written application prescribed in the preceding paragraph must be accompanied by the documents among those set forth in the items of paragraph (1) of Article 39 whose content will be changed as a result of certification of change under the provisions of Article 48-5, paragraph (1) of the Act.

(3) The provisions of Article 39, paragraph (2) apply mutatis mutandis to certification of change under the provisions of Article 48-5, paragraph (1) of the Act.

(Minor Changes Not Requiring Certification of Change)

Article 42 The minor changes specified by Ministry of the Environment Order referred to in the proviso of paragraph (1) of Article 48-5 of the Act are changes in the information set forth in Article 48-4, paragraph (2), item (iii) or (iv) of the Act (excluding cases where new additions are made to the names of the rare species of wild fauna and flora handled at the certified zoo, botanical garden, etc. conserving rare species subject to the changes or to the purposes of rearing, etc. and transfer, etc. for the respective species) or changes in the information set forth in item (v) or (vi) of the same paragraph (limited to cases where the zoo, botanical garden, etc. are found to remain in clear conformity to the standards referred to in item (ii) or (iii) of paragraph (1) of the same Article).

(Notification of Change)

Article 43 (1) Notification under the provisions of Article 48-5, paragraph (3) of the Act are to be made by submitting to the Minister of the Environment a written application giving the information set forth in the following items:

- (i) name and address of the person making the notification and the name of its representative;
- (ii) name and location of the zoo, botanical garden, etc. for which notifications

- are made;
- (iii) date of certification;
- (iv) matters changed and the details thereof;
- (v) date of the change;
- (vi) reason for the change.

(2) The written notification prescribed in the preceding paragraph must be accompanied by the documents among those set forth in the items of paragraph (1) of Article 39 whose content has been changed as a result of the notified change.

(Notification of Discontinuation)

Article 44 Notification of discontinuation under the provisions of Article 48-5, paragraph (4) of the Act is to be made by submitting to the Minister of the Environment a written application giving the information set forth in the following items:

- (i) name and address of the person making the notification and the name of its representative;
- (ii) name and location of the zoo, botanical garden, etc. for which notifications are made;
- (iii) date of certification;
- (iv) date of discontinuation;
- (v) names of the rare species of wild fauna and flora actually handled at the certified zoo, botanical garden, etc. conserving rare species at the time of discontinuation, the respective numbers of individuals of these species, and how these individuals will be handled.

(Renewal of Certification)

Article 45 The provisions of Articles 36 through 39 apply mutatis mutandis to cases where a person intends to obtain renewal of certification under Article 48-6, paragraph (1) of the Act pursuant to the provisions of Article 48-4, paragraphs (2) through (4) of the Act as applied mutatis mutandis pursuant to Article 48-6, paragraph (2) of the Act.

(Recording and Reporting)

Article 46 (1) The information specified by Ministry of the Environment Order referred to in Article 48-7 of the Act is the details of rearing, etc. and transfer, etc. that took place for the respective rare species of wild fauna and flora, and, in case of change in any of the information set forth in Article 48-4, paragraph (2), items (iii) through (vi) of the Act (excluding cases where certification of change is required under the provisions of Article 48-5, paragraph (1) of the Act or where notification of change is required under the provisions of

paragraph (3) of the same Article), the details of the change and other necessary information.

(2) The report under the provisions of Article 48-7 of the Act must be made at least once every fiscal year.

(Form of the Identification Referred to in Article 48-11, Paragraph (2) of the Act)

Article 47 The form of the identification referred to in Article 48-11, paragraph (2) of the Act is as shown in Form 9.

Chapter V Miscellaneous Provisions

(Form of the Identification Referred to in Article 50, Paragraph (2) of the Act)

Article 48 The form of the identification referred to in Article 50, paragraph (2) of the Act is as shown in Form 10.

(Research Project Involving Individuals Conducted by a Rare Wildlife Species Conservation Promoter)

Article 49 (1) The research project specified by Ministry of the Environment Order referred to in Article 51, paragraph (4) of the Act will research the status of inhabitation or growth of individuals of rare species of wild fauna and flora or otherwise contribute to the conservation of rare species of wild fauna and flora and must be notified to the Minister of the Environment in advance.

(2) Notification under the provisions of the preceding paragraph are to be made by submitting a written notification giving the address, name, and occupation of the person making the notification as well as the information set forth in Article 3, paragraph (1), items (ii) through (viii).

(3) The provisions of Article 3, paragraph (2) apply mutatis mutandis to the written notification prescribed in the preceding paragraph.

(Exemption from Consultation Required of the National Government)

Article 50 (1) The cases specified by Ministry of the Environment Order referred to in Article 54, paragraph (2) of the Act are those set forth in the following items:

(i) in the case of capture or other actions regarding live individuals of a nationally rare species of wild fauna and flora as set forth in the following:

(a) in the case of capture or other actions (limited to that notified to the Minister of the Environment in advance) by an experimental research institution of the national government or of a local government for experimental research purposes;

(b) in the case of capture or other actions of an individual in need of urgent

- protection due to illness or disease or for any other reason;
- (c) in the case of capture or other actions (limited to that notified to the Minister of the Environment in advance) of an individual confirmed to have contracted a contagious disease that is likely to hinder species conservation, for the purpose of preventing spread of the disease;
 - (d) in the case of unavoidable killing (limited to that notified to the Minister of the Environment in advance) of an individual (limited to an animal) which has been captured because it was in a need of urgent protection due to injury or disease and which cannot be appropriately released to its habitat due to injury or disease or for any other reason but is found to be impossible to be reared for any of the purposes prescribed in Article 10, paragraph (1) of the Act;
 - (e) in the case of capture or other actions involved in any of the following acts:
 - 1. any of the acts set forth in Article 5, paragraph (1), item (vi), (a) through (h) (in the case of the act set forth in (h), limited to that notified to the Minister of the Environment in advance);
 - 2. using a motor vehicle, horse, or motorboat or landing aircraft to perform services which are assigned by law to the national government or a local government and which are intended to rescue accident victims (including training related to these services or services to deal with emergency disasters), or to prevent or investigate crimes or otherwise maintain public order, or to secure traffic safety, or are related to waterways, or are otherwise similar to any of these services;
 - (f) in the case of capture or other actions regarding an individual which is intended for relocation or transplantation for the purpose of its protection and which involves any of the following acts:
 - 1. any of the acts set forth in Article 1-5, item (iv), (a) through (aa) (excluding (x));
 - 2. any of the acts set forth in Article 5, paragraph (1), item (vii), (a) through (e);
 - (g) an act performed in pursuit of the responsibility of the police prescribed in Article 2, paragraph (1) of the Police Act;
 - (ii) in the case of an act falling under any of those requiring permission under Article 37, paragraph (4) of the Act and as set forth in the following:
 - (a) in the case of new construction of, or renovation or expansion of, a structure as set forth in the following:
 - 1. in the case of renovation or expansion of sewerage;
 - 2. in the case of renovation of a dam or a lake or marsh water level controlling facility;
 - 3. in the case of installation or construction of signages, piles, an alarm

system, rain gauge station, water level gauge station, or other structures similar to these;

(b) in the case of mining of minerals or quarrying of soil or stone (limited to mining or quarrying notified to the Minister of the Environment in advance) by an experimental research institution of the national government or of a local government for experimental research purposes;

(c) in the case of use of a motor vehicle, horse, or motorboat or landing of aircraft as set forth in the following, within an area designated by the Minister of the Environment from among areas other than roads, open spaces set aside for public use, rice fields or other cultivated fields, pastures, or residential land:

1. in the case of use of a motor vehicle, horse, or motorboat or landing of aircraft to manage or inspect the area of a fishing port designated pursuant to the provisions of the Act on Development of Fishing Ports and Grounds;

2. in the case of use of a motor vehicle, horse, or motorboat or landing of aircraft to regulate fisheries;

3. in the case of use of a motorboat to clean sea surface or collect floating oil;

4. in the case of use of a motor vehicle, horse, or motorboat or landing of aircraft (limited to use or landing notified to the Minister of the Environment in advance) by an experimental research institution of the national government or of a local government for experimental research purposes;

5. in the case of use of a motor vehicle, horse, or motorboat or landing of aircraft to perform services which are assigned by law to the national government or a local government and which are intended to rescue accident victims (including training related to these services or services to deal with emergency disasters), or to prevent or investigate crimes or otherwise maintain public order, or to secure traffic safety, or are related to waterways, or are otherwise similar to any of these services;

6. in the case of use of a motor vehicle, horse, or motorboat or landing of aircraft by the Self-Defense Forces;

(d) in the case of capture or other actions regarding individuals or other things of species of wild fauna or flora by an experimental research institution of the national government or of a local government for experimental research purposes;

(e) beyond what is set forth in the preceding items, in the following cases:

1. in the case of managing a dam or a lake or marsh water level controlling facility (excluding the case of engaging in any of the acts set forth in

- Article 37, paragraph (4), items (iv) and (x) through (xiv) of the Act);
2. in the case of constructing or managing an urban park, etc. (excluding the case of newly constructing or renovating or expanding a structure with a horizontal projected area of more than one thousand square meters (including renovation or expansion after which the renovated or expanded structure will have a horizontal projected area of more than one thousand square meters) in cases other than the case of engaging in any of the acts set forth in Article 37, paragraph (4), items (iv) and (x) through (xiv) of the Act or the case of constructing or managing the urban park, etc. in implementing a city planning project under a city plan concerning which the Minister of Land, Infrastructure, Transport and Tourism was consulted and gave consent pursuant to the provisions of Article 18, paragraph (3) of the City Planning Act (including as applied *mutatis mutandis* pursuant to Article 21, paragraph (2) of the same Act));
 3. in the case of engaging in an act for designation of an important cultural property under the provisions of Article 27, paragraph (1) of the Act on Protection of Cultural Properties, or designation of an important tangible folk cultural property under the provisions of Article 78, paragraph (1) of the same Act, or designation or provisional designation of a historic site, place of scenic beauty, or natural monument under the provisions of Article 109, paragraph (1) or Article 110, paragraph (1), or selection of an important cultural landscape under the provisions of Article 134, paragraph (1) of the same Act, or conducting an investigation of a buried cultural property as defined in Article 92, paragraph (1) of the same Act;
 4. in the case of engaging in an act performed in pursuit of the responsibility of the police prescribed in Article 2, paragraph (1) of the Police Act;
- (f) in the case of engaging in an act incidental to any of those set forth in (a) through (e);
- (iii) in the case of an act which falls under any of those requiring permission under Article 38, paragraph (4), item (iii) of the Act and which is conducted for the purpose of any of the following acts:
- (a) installing facilities for preventing avalanche or installing debris flow monitoring equipment, measuring instruments, or other structures incidental to any of the above to prevent disasters caused by landslides in a volcano area, at the base of a volcano, or in an area which is likely to be seriously affected by volcanic phenomena;
 - (b) felling or damaging trees and bamboo in association with an on-site inspection under the provisions of Article 6, paragraph (1) of the Forest

- Pest Control Act (Act No. 53 of 1950);
- (c) capture or other actions (limited to that notified to the Minister of the Environment in advance) of pests or the like (including eggs thereof) causing damage to agricultural, forestry or fishery products by an experimental research institution of the national government or of a local government for experimental research purposes;
 - (d) the act set forth in Article 5, paragraph (1), item (vi), (g) or (h);
 - (e) installation or management of navigation aids or performance of services related to waterways by the Japan Coast Guard;
 - (f) renovating or managing a dam or a lake or marsh water level controlling facility;
 - (g) an act performed in pursuit of the duty of the Self-Defense Force prescribed in Article 3, paragraph (1) of the Self-Defense Force Act (Act No. 165 of 1954);
 - (h) an act performed in pursuit of the responsibility of the police prescribed in Article 2, paragraph (1) of the Police Act;
 - (i) an act incidental to any of the acts set forth in (a) through (h);
- (2) The cases specified by Ministry of the Environment Order referred to in Article 54, paragraph (3) of the Act are those set forth in the following items:
- (i) in the case of new construction of or renovation or expansion of a structure as set forth in (a), 1 through 3 of item (ii) of the preceding paragraph;
 - (ii) beyond what is set forth in the preceding item, in the following cases:
 - (a) in the case of managing land designated pursuant to the provisions of Article 2 of the Erosion Control Act, a coastal preservation zone prescribed in Article 3, paragraph (1) of the Coast Act, a landslide prevention zone prescribed in Article 3, paragraph (1) of the Landslide Prevention Act, a river as defined in Article 3, paragraph (1) of the River Act, or a steep slope failure hazard area prescribed in Article 3, paragraph (1) of the Act on Prevention of Disasters Caused by Steep Slope Failure;
 - (b) in the case of managing a dam or a lake water level controlling facility;
 - (c) in the case of constructing or managing an urban park, etc. (excluding the case of newly constructing or renovating or expanding a structure with a horizontal projected area of more than one thousand square meters (including renovation or expansion after which the renovated or expanded structure will have a horizontal projected area of more than one thousand square meters) in cases other than the case of constructing or managing the urban park, etc. in implementing a city planning project under a city plan concerning which the Minister of Land, Infrastructure, Transport and Tourism was consulted and gave consent pursuant to the provisions of Article 18, paragraph (3) of the City Planning Act (including as applied *mutatis mutandis* pursuant to Article 21, paragraph (2) of the same Act));

- (d) in the case of engaging in an act for designation of an important cultural property under the provisions of Article 27, paragraph (1) of the Act on Protection of Cultural Properties, or designation of an important tangible folk cultural property under the provisions of Article 78, paragraph (1) of the same Act, or designation or provisional designation of a historic site, place of scenic beauty, or natural monument under the provisions of Article 109, paragraph (1) or Article 110, paragraph (1) of the same Act, or selection of an important cultural landscape under the provisions of Article 134, paragraph (1) of the same Act, or investigating a buried cultural property as defined in Article 92, paragraph (1) of the same Act;
 - (e) in the case of engaging in an act performed as the responsibility of the police prescribed in Article 2, paragraph (1) of the Police Act;
 - (f) in the cases set forth in (c) (excluding 4), item (ii) of the preceding paragraph;
 - (iii) in the case of engaging in an act incidental to any of those set forth in the preceding items;
- (3) A person which has captured or taken other actions regarding an individual as provided in paragraph (1), item (i), (b) is to give notice to the Minister of the Environment within thirty days following the capture or these actions.

(Notification of Capture or Other Actions for Educational or Academic Research Purposes)

Article 51 The provisions of Article 3, paragraphs (1) and (2) apply mutatis mutandis to notification under Article 1-5, items (ii) and (iv). In this case, the phrase "area in which the capture or other actions will take place" in Article 3, paragraph 1, item (iv) is deemed to be replaced with "area in which the capture or other actions will take place (including the area to which the individuals will be relocated or transplanted; the same applies in the following paragraph)" in the case of notification under the provisions of Article 1-5, item (iv).

(Notification of Receipt of Transfer of an Injured Individual, etc.)

Article 52 (1) Notification under the provisions of Article 5, paragraph (3) (limited to notification of receipt of a transfer or delivery provided in item (iv), paragraph (1) of the same Article) is to be made by submitting a written notification giving the information set forth in the following items:

- (i) address, name, and occupation of the person making the notification (or, in the case of a corporation, the location of its principal office, its name, the name of its representative, and its principal business);
- (ii) the following information on the individuals transferred or delivered to the person making the notification:
 - (a) species;

- (b) whether live individuals or eggs;
 - (c) quantity;
 - (d) location;
 - (iii) purpose of receipt of the transfer or delivery;
 - (iv) date of receipt of the transfer or delivery;
 - (v) address and name of the person who transferred or delivered the individuals to the person making the notification (in the case of a corporation, the location of its principal office, its name, and the name of its representative);
 - (vi) if the person making the notification intends to rear or cultivate the individuals transferred or delivered to the person making the notification, the location of rearing or cultivation, the size and structure of the rearing or cultivation facility, and the address, name, occupation, and information regarding the rearing background or cultivation background of the person who will handle the rearing or cultivation.
- (2) The written notification prescribed in the preceding paragraph must be accompanied by drawings and photographs indicating the size and structure of the rearing or cultivation facilities, if the person making the notification intends to rear or cultivate the individual transferred or delivered to the person making the notification.

(Notification of Transfer for Educational or Academic Research Purposes)

Article 53 The provisions of the preceding Article apply mutatis mutandis to notification under the provisions of Article 5, paragraph (3) (limited to notification of receipt of a transfer or delivery prescribed in item (i), (iii), (iv) or (vi) of paragraph (2) of the same Article). In this case, the phrase "whether live individuals or eggs" in (b) of item (ii) of paragraph (1) of the preceding Article is deemed to be replaced with "in the case of individuals, whether live individuals, eggs, or other individuals, or in the case of processed products of individuals, whether stuffed specimens or other processed products of individuals, or in the case of body parts of individuals or processed products of body parts of individuals, their name."

(Notification of Mining of Minerals for Educational or Academic Research Purposes)

Article 54 The provisions of Article 23 apply mutatis mutandis to any notification under Article 25, item (iii), (g).

(Omission of Accompanying Drawings)

Article 55 (1) In the case of an application for permission of change in an act for which permission has been obtained under Article 10, paragraph (1) of the Act,

Article 37, paragraph (4) of the Act, or Article 38, paragraph (4), item (iii) of the Act, or in the case of notification of change in an act for which notification has been completed under the provisions of Article 37, paragraph (8) or (10) of the Act, Article 39, paragraph (1) of the Act, Article 1-5, item (ii) or (iv), Article 25, item (iii), (g), or Article 49, paragraph (1), for all of the above, it is sufficient for a written application or written notification to be accompanied by those drawings or photographs that are required to accompany it pursuant to the provisions of Article 3, paragraph (2) (including as applied mutatis mutandis pursuant to Article 51), Article 23, paragraph (2) (including as applied mutatis mutandis pursuant to Article 54), Article 24, paragraph (3), Article 26, paragraph (2), Article 28, paragraph (2), Article 29, paragraph (3), or Article 49, paragraph (3) (referred to as "accompanying drawings" in paragraph (3)) and that clarify matters about the change.

- (2) In the case of an application for permission of or notification of, change referred to in the preceding paragraph, the written application or written notification must be accompanied by a document stating the purpose and reason for the change.
- (3) Other than in cases falling under paragraph (1), if it is found that not all of the accompanying documents need to be attached due to the minor nature of the act for which an application for permission is filed under the provisions of Article 10, paragraph (2) of the Act or Article 37, paragraph (5) of the Act (including as applied mutatis mutandis pursuant to Article 38, paragraph (5) of the Act) or for which notification is made under the provisions of Article 37, paragraph (8) or (10) of the Act, Article 39, paragraph (1) of the Act, Article 1-5, item (ii) or (iv), Article 25, item (iii), (g), or Article 49, paragraph (1) or for any other reason, part of the accompanying documents may be omitted.

(Delegation of Authority)

Article 56 Of the authorities of the Minister of the Environment prescribed in the Act and this Ministry Order, the following authorities are delegated to the heads of regional environmental offices (excluding the head of the Fukushima Regional Environmental Office); provided, however, that this does not preclude the Minister of the Environment from directly exercising the authorities set forth in items (iii) (excluding the portion related to Article 11, paragraph (4) of the Act) through (v), items (vii) through (xi), and items (xvi), (xvii), (xix), (xx), and (xxi):

- (i) the authority prescribed in Article 8 of the Act;
- (ii) the authorities prescribed in Article 10, paragraphs (1), (2), (4) through (7), and (10) of the Act;
- (iii) the authority prescribed in Article 11 of the Act;
- (iv) the authority prescribed in Article 18 of the Act;

- (v) the authority prescribed in Article 19, paragraph (1) of the Act;
- (vi) the authorities prescribed in Article 30, paragraphs (1), (2), and (4) (including as applied mutatis mutandis pursuant to paragraph (6) of the same Article) of the Act;
- (vii) the authorities prescribed in Article 32, paragraphs (1) and (2) (including these provisions as applied mutatis mutandis pursuant to paragraph (3) of the same Article) of the Act;
- (viii) the authority prescribed in Article 33, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to paragraph (2) of the same Article and Article 33 of the Act);
- (ix) the authority prescribed in Article 33-4, paragraph (1) of the Act;
- (x) the authority prescribed in Article 33-12 of the Act;
- (xi) the authorities prescribed in Article 33-14, paragraphs (1) and (2) of the Act;
- (xii) the authority prescribed in Article 35 of the Act;
- (xiii) the authorities prescribed in Article 37, paragraphs (4) (limited to the portion related to the permission provided in the same paragraph), (5) (including as applied mutatis mutandis pursuant to Article 38, paragraph (5) of the Act), (7) (including as applied mutatis mutandis in Article 38, paragraph (5) of the Act), (8), and (10) of the Act;
- (xiv) the authority prescribed in Article 38, paragraph (4), item (iii) of the Act;
- (xv) the authorities prescribed in Article 39, paragraphs (1) through (5) of the Act;
- (xvi) the authorities prescribed in Article 40, paragraphs (1) and (2) of the Act;
- (xvii) the authorities prescribed in Article 41, paragraphs (1) and (2) of the Act;
- (xviii) the authorities prescribed in Article 42, paragraphs (1) and (2) of the Act;
- (xix) the authority prescribed in Article 47, paragraph (4) of the Act;
- (xx) the authorities prescribed in Article 48-2, paragraphs (1) and (2) of the Act;
- (xxi) the authority prescribed in Article 48-11, paragraph (1) of the Act;
- (xxii) the authority prescribed in Article 49 of the Act;
- (xxiii) the authorities prescribed in Article 54, paragraphs (2) and (3) of the Act (excluding those related to transfers, etc. of individuals of rare species of wild fauna and flora);
- (xxiv) the authorities prescribed in Article 1-5, items (ii) and (iv);
- (xxv) the authorities prescribed in Article 3, paragraphs (9) through (11);
- (xxvi) the authority prescribed in Article 25, item (iii), (g);
- (xxvii) the authority prescribed in Article 49, paragraph (1);
- (xxviii) the authorities prescribed in Article 50, paragraph (1), item (i), (a), (c), and (d), and (e), (1), item (ii), (b) and (c), (4), item (iii), (c), and paragraph (3).

Supplementary Provisions [Extract]

(Effective Date)

Article 1 This Office Order comes into effect as of the date on which the Act comes into effect (April 1, 1993).

Supplementary Provisions [Prime Minister's Office Order No. 1 of February 8, 2005]

This Office Order comes into effect as of February 16, 1995.

Supplementary Provisions [Prime Minister's Office Order No. 30 of June 14, 2005]

This Office Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 52 of 1994) comes into effect (June 28, 1995).

Supplementary Provisions [Prime Minister's Office Order No. 55 of November 30, 1995]

This Office Order comes into effect as of December 1, 1995.

Supplementary Provisions [Prime Minister's Office Order No. 12 of March 15, 1999]

This Office Order comes into effect as of the date on which the Cabinet Order Partially Amending the Order for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Cabinet Order No. 169 of 1998) comes into effect (March 18, 1999).

Supplementary Provisions [Prime Minister's Office Order No. 7 of February 8, 2000 Excerpts] [Extract]

(Effective Date)

Article 1 This Office Order comes into effect as of April 1, 2000.

(Transitional Measures for Partial Amendment of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora)

Article 5 If, prior to the date on which this Office Order comes into effect, any

notification or notice was given to a prefectural governor pursuant to the provisions of Article 25, item (iii), (g) or Article 37, paragraph (1), item (ii), (b) or (c) 4 or item (iii), (c) of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora prior to amendment by the provisions of Article 10, and if the act for which the notification or notice was given is performed on or after the date on which this Office Order comes into effect, then the notification or notice is deemed to have been given to the Minister of the Environment pursuant to the provisions of Article 25, item (iii), (g) or Article 37, paragraph (1), item (ii), (b) or (c) 4 or item (iii), (c) of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora amended by the provisions of Article 10.

Supplementary Provisions [Prime Minister's Office Order No. 77 of July 12, 2000]

This Office Order comes into effect as of July 19, 2000.

Supplementary Provisions [Prime Minister's Office Order No. 94 of August 14, 2000 Excerpts] [Extract]

- (1) This Office Order comes into effect as of the date on which the Act Partially Amending the Cabinet Act (Act No. 88 of 1999) comes into effect (January 6, 2001).

Supplementary Provisions [Ministry of the Environment Order No. 17 of April 27, 2001]

This Ministry Order comes into effect as of the date of promulgation.

Supplementary Provisions [Ministry of the Environment Order No.25 of June 29, 2001]

This Ministry Order comes into effect as of the date of promulgation.

Supplementary Provisions [Ministry of the Environment Order No. 11 of March 29, 2002]

This Ministry Order comes into effect as of April 1, 2002.

Supplementary Provisions [Ministry of the Environment Order No. 17 of

June 27, 2002]

This Ministry Order comes into effect as of July 1, 2002.

**Supplementary Provisions [Ministry of the Environment Order No. 28 of
December 26, 2002 Excerpts] [Extract]**

(Effective Date)

Article 1 This Ministry Order comes into effect as of the date on which the Act comes into effect (April 16, 2003).

**Supplementary Provisions [Ministry of the Environment Order No. 11 of
March 31, 2003]**

This Ministry Order comes into effect as of April 1, 2003.

**Supplementary Provisions [Ministry of the Environment Order No. 20 of
July 17, 2003]**

(Effective Date)

Article 1 This Ministry Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (July 20, 2003).

(Transitional Measures)

Article 2 An identification which has actually been issued at the time this Ministry Order comes into effect and which is in the form of Form 3 or any of Forms 5 through 7 of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora prior to amendment by the provisions of Article 1 (hereinafter referred to as the "former Regulation") is deemed to be in the corresponding form of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora amended by the provisions of the same Article (hereinafter referred to as the "new Regulation").

Article 3 A registration card in the form of Form 4 or Form 4-2 of the former Regulation is deemed to be in the corresponding form of the new Regulation for the time being.

**Supplementary Provisions [Ministry of the Environment Order No. 4 of
March 26, 2004]**

This Ministry Order comes into effect as of the date on which the Act Partially Amending the Electricity Business Act and the Gas Business Act comes into effect (April 1, 2005); provided, however, that the provisions set forth in the following items come into force as of the dates specified in the respective items:

- (i) of the provisions of Article 2, those amending Article 1-2, item (iv), (w) of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora (hereinafter referred to as the "Species Conservation Act Enforcement Regulations") (excluding the amendment provisions set forth in the following item): the date of promulgation;
- (ii) of the provisions of Article 2, those amending Article 1-2, item (iv), (w) (limited to the portion amending the phrase "Article 2, paragraph (8) into "Article 2, paragraph (10)") and Article 27, item (vi) (limited to the portion amending the phrase "Article 2, paragraph (12)" into "Article 2, paragraph (13)") of the Species Conservation Act Enforcement Regulations: April 1, 2004.

Supplementary Provisions [Ministry of the Environment Order No. 5 of March 26, 2004]

This Ministry Order comes into effect as of April 1, 2004.

Supplementary Provisions [Ministry of the Environment Order No. 3 of March 4, 2005]

This Ministry Order comes into effect as of the date on which the Real Property Registration Act comes into effect (March 7, 2005).

Supplementary Provisions [Ministry of the Environment Order No. 8 of March 29, 2005]

This Ministry Order comes into effect as of the date on which the Act Partially Amending the Act on Protection of Cultural Properties comes into effect (April 1, 2005).

Supplementary Provisions [Ministry of the Environment Order No. 11 of April 19, 2005]

This Ministry Order comes into effect as of the date on which the Act Partially Amending the Act on Prevention of Marine Pollution and Maritime Disaster comes into effect.

**Supplementary Provisions [Ministry of Agriculture, Forestry and
Fisheries and Ministry of the Environment Order No. 2 of May 25, 2005
Excerpts] [Extract]**

(Effective Date)

Article 1 This Ministry Order comes into effect as of the date on which the Act comes into effect (June 1, 2005).

**Supplementary Provisions [Ministry of the Environment Order No. 20 of
September 20, 2005]**

(Effective Date)

Article 1 This Ministry Order comes into effect as of October 1, 2005.

(Transitional Measures for Dispositions and Applications)

Article 2 (1) Any registration effected or other disposition rendered by or any notice given or other act performed by the Minister of the Environment pursuant to the provisions of the relevant laws and regulations before this Ministry Order comes into effect (limited to those for which the authority is delegated to the head of the relevant regional environmental office by the provisions of the respective ministry orders amended by this Ministry Order; hereinafter referred to as a "disposition, etc.") is deemed to be a disposition, etc. by the head of the corresponding regional environmental office, and any application filed with, notification made to, or other act directed to the Minister of the Environment pursuant to the provisions of the relevant laws and regulations before this Ministry Order comes into effect (limited to those for which the authority is delegated to the head of the relevant regional environmental office by the provisions of the respective ministry orders amended by this Ministry Order; hereinafter referred to as an "application, etc.") is deemed to be an application, etc. filed with the head of the corresponding regional environmental office.

(2) If any information is required to be reported, notified, or submitted to, or otherwise go through procedures with respect to the Minister of the Environment pursuant to the provisions of the applicable laws and regulations before this Ministry Order comes into effect (limited to those for which the authority is delegated to the head of the relevant regional environmental office by the provisions of the respective ministry orders amended by this Ministry Order) and if those procedures have not been completed before this Ministry Order comes into effect, then those provisions of the applicable laws and regulations apply to that information by deeming that the information required

to be reported, notified, or submitted to, or otherwise go through procedures with respect to the head of the relevant regional environmental office pursuant to the provisions of those laws and regulations has not yet gone through those procedures.

(Transitional Measures for Penal Provisions)

Article 3 Prior laws continue to govern the applicability of penal provisions to conduct engaged in before this Ministry Order comes into effect.

Supplementary Provisions [Ministry of the Environment Order No. 11 of April 20, 2007]

(Effective Date)

Article 1 This Ministry Order comes into effect as of the date of promulgation.

(Transitional Measures)

Article 2 (1) Any certificate which is in the form prior to amendment by this Ministry Order and actually exists at the time this Ministry Order comes into effect is deemed to be in the form amended by this Ministry Order.

(2) Forms which have been prepared in the form prior to amendment by this Ministry Order and actually exist at the time this Ministry Order comes into effect may, by making amendments thereto, continue to be used after this Ministry Order comes into effect until otherwise provided for by law.

Supplementary Provisions [Ministry of the Environment Order No. 25 of September 28, 2007]

This Ministry Order comes into effect as of the date on which the Postal Service Privatization Act comes into effect (October 1, 2007).

Supplementary Provisions [Ministry of the Environment Order No. 3 of March 26, 2009]

(Effective Date)

(1) This Ministry Order comes into effect as of April 1, 2008.

(Transitional Measures)

(2) Prior laws continue to govern the applicability of penal provisions to conduct engaged in before this Ministry Order comes into effect.

Supplementary Provisions [Ministry of the Environment Order No. 8 of

June 18, 2008]

This Ministry Order comes into effect as of the date of promulgation.

Supplementary Provisions [Ministry of the Environment Order No. 11 of June 29, 2011]

(Effective Date)

Article 1 This Ministry Order comes into effect as of June 30, 2011.

(Transitional Measures)

Article 2 Prior laws continue to govern the applicability of the provisions of Article 1-2, item (iv), (v) of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora amended by the provisions of Article 1 to acts necessary for managing facilities made available for wire broadcasting telephone services as defined in Article 2, paragraph (2) of the Act on Wire Broadcasting Telephone Business performed by a person that has obtained permission under Article 3 of the same Act prior to repeal by the provisions of Article 2 of the Supplementary Provisions of the Act Partially Amending the Broadcasting Act whose applicability to the Act on Wire Broadcasting Telephone Business continues to be governed by prior laws pursuant to the provisions of Article 7 of the Supplementary Provisions of the Act Partially Amending the Broadcasting Act (Act No. 65 of 2010).

Supplementary Provisions [Ministry of the Environment Order No. 29 of October 31, 2011]

(Effective Date)

Article 1 This Ministry Order comes into effect as of the date of promulgation.

(Transitional Measures)

Article 2 Prior laws continue to govern the applicability of penal provisions to conduct engaged in before this Ministry Order comes into effect.

Supplementary Provisions [Ministry of the Environment Order No. 29 of September 28, 2012]

This Ministry Order comes into effect as of the date on which the Act Partially Amending the Postal Service Privatization Act comes into effect (October 1, 2012).

Supplementary Provisions [Ministry of the Environment Order No. 11 of

March 29, 2013]

This Ministry Order comes into effect as of the date on which the Ministerial Order on the Arrangement of Relevant Ministry of Agriculture, Forestry and Fisheries Orders Necessitated by the Enforcement of the Act Partially Amending the Act Concerning Utilization of National Forest Land intended for ensuring the maintenance and enhancement of the public functions of national forest land comes into effect (April 1, 2013).

Supplementary Provisions [Ministry of the Environment Order No. 17 of May 29, 2014]

This Ministry Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (June 1, 2014).

Supplementary Provisions [Ministry of the Environment Order No. 21 of June 11, 2014]

This Ministry Order comes into effect as of the date on which the Act Partially Amending the Act on the Prevention of Adverse Ecological Impacts Caused by Designated Invasive Alien Species comes into effect (June 11, 2014).

Supplementary Provisions [Ministry of the Environment Order No. 22 of June 14, 2014]

This Ministry Order comes into effect as of the date of promulgation.

Supplementary Provisions [Ministry of the Environment Order No. 3 of February 20, 2015] [Extract]

(Effective Date)

Article 1 This Ministry Order comes into effect as of the Act Partially Amending the Protection and Control of Wild Birds and Mammals and Hunting Management Law (Act No. 46 of 2014; hereinafter referred to as the "amendment act") comes into effect (May 29, 2015).

Supplementary Provisions [Ministry of the Environment Order No. 36 of November 26, 2015]

This Ministry Order comes into effect as of December 1, 2015.

Supplementary Provisions [Ministry of the Environment Order No. 1 of March 25, 2016]

This Ministry Order comes into effect as of the date on which the Act Partially Amending the Electricity Business Act comes into effect (April 1, 2016).

Supplementary Provisions [Ministry of the Environment Order No. 27 of December 28, 2016]

This Ministry Order comes into effect as of January 2, 2017.

Supplementary Provisions [Ministry of the Environment Order No. 4 of March 29, 2017]

This Ministry Order comes into effect as of the date on which the provisions set forth in Article 1, item (v) of the Supplementary Provisions of the Act Partially Amending the Electricity Business Act come into effect (April 1, 2017).

Supplementary Provisions [Ministry of the Environment Order No. 8 of April 3, 2018]

(Effective Date)

- (1) This Ministry Order comes into effect as of the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (June 1, 2018).

(Transitional Measures)

- (2) The provisions of Article 11, paragraph (7), item (ii), (f) of the Regulation for Enforcement of the Act on Conservation of Endangered Species of Wild Fauna and Flora amended by this Ministry Order (hereinafter referred to as the "amended Ministry Order"), paragraph (ix), item (ii), (d) of the same Article, and paragraph (x), item (ii), (d) of the same Article, Article 11-2, paragraph (1), item (ii), (d) and Article 12, paragraph (1), item (ii), (d) do not apply to individual, etc. which are deemed to have been registered on the date on which the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect pursuant to the provisions of Article 4, paragraph (1) of the Supplementary Provisions of the same Act (limited to live individuals of any of the species set forth in the items of paragraph (3) of Article 11 of the amended Ministry Order with respect to which no measure for identifying individuals has been taken), until renewal of their registration is

obtained.

- (3) Any certificate in the form prior to amendment by this Ministry Order actually existing at the time this Ministry Order comes into effect is deemed to be in the form amended by this Ministry Order.

Supplementary Provisions [Ministry of the Environment Order No. 16 of November 19, 2019]

This Ministry Order comes into effect as of the date on which the Cabinet Order Partially Amending the Order for Enforcement of the Act Partially Amending the Act on Conservation of Endangered Species of Wild Fauna and Flora comes into effect (November 26, 2019).

Supplementary Provisions [Ministry of the Environment Order No. 4 of February 19, 2020]

This Ministry Order comes into effect as of the date of promulgation.

Supplementary Provisions [Ministry of the Environment Order No. 9 of March 30, 2020]

This Ministry Order comes into effect as of the date of promulgation.

Form 1 omitted

Form 2 omitted

Form 3 omitted

Form 4 omitted

Form 5 omitted

Form 6 omitted

Form 7 omitted

Form 8 omitted

Form 9 omitted

Form 10 omitted